

Summary Sheet

Meeting dates: March 2, 2018

Agenda item: Waitts Lake Petitions

Presenter(s): Chris Donley, Region 1 Fish Program Manager

Background summary:

The Fish and Wildlife Commission (Commission) received four petitions in opposition to the 2018/2019 fishing rules on Waitts Lake in Stevens County, set to take effect on July 1, 2018. The petitioners are opposed to changing Waitts Lake from a fishing season that opens on the fourth Saturday in April and closes on the last day in February to a year-round fishery. The fishing rules for Waitts Lake were decided during the rule simplification process, completed January 19, 2018 by the Commission.

Three Waitts Lake resort owners (Garves, Johns, Roach) and one interested public party (Martz) submitted petitions. Summarized below are the concerns the petitioners expressed:

- The rule change does not increase fishing opportunity enough to warrant the change;
- It is inconsistent with the management of the other large lakes in Stevens County;
- It negatively impacts resort revenue;
- It negatively affects net pen operations, both rearing and releasing of net pen fish;
- It makes it difficult to set up resorts for spring business because there is no longer a season closure;
- It negatively impacts the “fun and excitement of opening day”; and
- The rule change detracts from a family fishing atmosphere of the resorts and the lake itself.

Department staff initiated rulemaking to simplify sportfishing regulations in 2017 after hearing from the public that the current regulations were too complicated. Staff conducted six public meetings around the state collecting comments on policy elements for reducing the complexity of fishing regulations. Proposed changes to sportfishing regulations were filed with the State Office of the Code Reviser and placed on the Department’s web page for public comment on November 2, 2017. A news release was distributed on November 3, 2017 calling for comments on the proposed changes. Over 1600 comments were received from the public. The Commission held a public hearing on the proposed sportfishing regulation changes on December 9th. Department staff reviewed all comments received and made final recommendations to the Commission on January 19, 2018.

Department staff recommended adjusting the season on Waitts Lake to year round. This proposal increased fishing opportunity on Waitts Lake by not closing the lake to fishing for the 7 weeks from March 1 to the fourth Friday in April. Going to the statewide standard year round season on the lake removed the exceptions for Waitts Lake from the sportfishing pamphlet. The Department intends to continue current fisheries management of Waitts Lake including stocking hatchery trout in the spring prior to the 4th Saturday in April to avoid impacts to traditional springtime fisheries.

The Commission unanimously adopted the staff recommended changes to the rules simplification package, including those to Waitts Lake, at the January 19, 2018 meeting.

Staff recommendation:

Department staff recommends the Commission deny the petitions and maintain the year round fishing season on Waitts Lake as adopted by the Commission on January 19, 2018.

The rule simplification process generated a large number of comments from the public that supported rule simplification, but often opposed doing so on water bodies where the commenters were personally affected. During the development of the sportfishing rules package to simplify regulations staff worked to reduce the amount and complexity of fishing regulations while maximizing fishing opportunity and meeting conservation objectives. Staff worked hard to develop a final package of proposals that balanced the concerns of the public with the objective of reducing the complexity of the sportfishing regulations. This resulted in situations where not all parties were in agreement with all of the proposed changes.

Managing Waitts Lake year round will not alter the Department's fisheries management practices. The department will continue to manage the fishery including stocking the lake in the spring to maintain the current quality fishing experience.

Policy issue(s) and expected outcome:

Pursuant to RCW 34.05.330

A) Deny the petition in writing, stating the reasons for the denial, specifically addressing the concerns raised by the petitioners; or

B) Initiate rule-making to change the sportfishing season at Waitts Lake from year round to the 4th Saturday in April to the last day in February.

Fiscal impacts of agency implementation: No fiscal impact to the agency.

Public involvement process used and what you learned:

The Fish and Wildlife Commission has received these petitions requesting adjustments to the fishing rules for Waitts Lake.

Action requested and/or proposed next steps:

Department staff recommend the Commission deny these petitions to change the sportfishing season at Waitts Lake from year round to the 4th Saturday in April to the last day in February.

Draft motion language:

Motion: I move to deny the petitions as presented by staff.

Is there a "second"?

If so, then motion maker states the basis for the motion; other Commissioners discuss views on motion; amendments, if any, proposed and addressed.

Post decision communications plan:

Commission staff will provide a letter to the petitioners with the final outcome of the Commission decision regarding the petition.
