



Fish and Wildlife Commission Presentation Summary Sheet

Meeting date:

4/9/2021

Agenda item:

Petition-Hoh River-Decision

Presenter(s):

James Losee, Region 6 Fish Program Manager

Background summary:

On March 24, 2021 The Fish and Wildlife Commission received a petition from Ravae and Aaron O’Leary, Angler’s Obsession, requesting that the commission repeal the existing rule established in 2016 in the Hoh River prohibiting fishing from a boat in the upper reach from Morgan’s Crossing Boat Launch upstream to the Olympic National Park boundary below the mouth of South Fork Hoh River (Figure 1). The petitioner is requesting the regulation be changed to allow fishing from a floating device for salmon and steelhead in this approximately 7 miles stretch of river.



Figure 1. Map of the Olympic Peninsula. Red box denotes the ~7 miles stretch described as the Upper Hoh River from Morgan’s Crossing Boat Launch to the Olympic National Park Boundary.

Status of the Resource

The Hoh River supports wild steelhead and salmon populations that are all exhibiting declining trends in runs size in the last decade and some have a history of failing to meet their escapement goals (Figure 2). Salmon seasons have not taken place in this reach since 2001 however this area is important for spawning salmon therefore populations potentially affected by this petition include winter steelhead, spring Chinook, fall Chinook, fall coho and cutthroat trout.

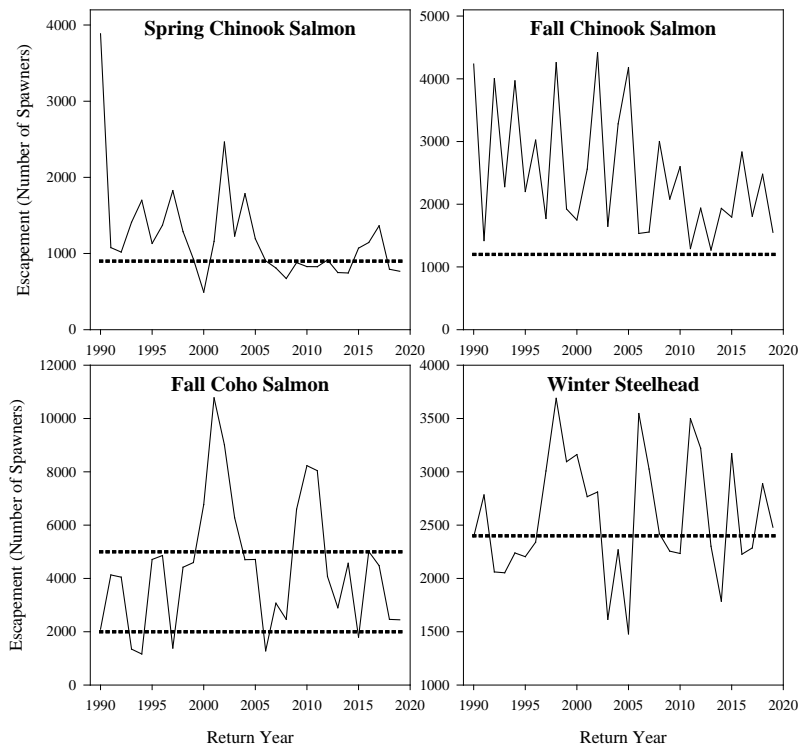


Figure 2. Trends in Escapement (solid line) relative to escapement goals in the Hoh River for wild spring Chinook, fall Chinook, fall coho and winter steelhead. Fall coho are managed using an escapement goal range between 2000-5000.

Rational of Current Regulation

In 2015, the Department conducted a review of sportfishing regulations on the North Coast including creating an advisory group to maximize recreational opportunity while meeting the Legislative mandate (Appendix 1). This rule was changed as a result of one of the proposals that came from this advisory group. The North Coast Steelhead Advisory Group consisted of 13 members from the angling and conservation community and included five or more formal meetings and resulted in five formal proposals to the Commission. One of those was the proposal referenced above. Initially, the Hoh River proposal was to prohibit fishing from a floating device equipped with an internal combustion motor. After public comment including more than 672 written and 36 spoken in a public hearing, the staff recommendation was to amend the recommendation to prohibit fishing from a floating device and examine the pattern of use by different angler types to better understand the impact of this regulation. The Washington Department of Fish and Wildlife and the treaty tribes of the North Coast (Quileute, Hoh, and Quinault) share the responsibility of managing the fish resources and their respective fisheries to provide for spawning escapements that meet or exceed goals. At the time of adoption by the commission, WDFW and the comanagers had shared conservation concerns for salmon and steelhead in the Hoh river. The regulation was meant to help address these concerns and meet escapement goals while remaining within the State’s share of the harvestable surplus of wild steelhead and salmon.

Analysis of Petition

As a result of these concerns, and in an effort to support diverse opportunities, the WDFW implemented this rule in 2016. Since adoption, WDFW has gathered information regarding the patterns of use of different angler types during the steelhead season. Analysis of creel monitoring suggests that anglers fishing from a boat encounter steelhead at a rate 2 to 5 times that of those fishing from shore (Figure 3). Given the documented high rate of encounters of wild steelhead from anglers fishing from a boat vs. those from shore, and the decreasing trend in runsize for Hoh River steelhead, allowing anglers to fish from a boat in this reach during the steelhead season would be expected to exacerbate already existing conservation challenges. If this rulemaking petition was approved, re-opening the stretch of the river to fishing from boats is likely to result in harvest beyond management goals. Such an overharvest could result in a subsequent closure of winter steelhead fishing in the Hoh River and increase concern from the Hoh Tribe associated with salmon during the trout season.

In the fall, this petition would increase opportunity for anglers in the Hoh river that prefer to fish for trout from a boat, which action could also be perceived as a conservation concern by the comanagers (referenced above) given the importance of this area to spawning salmon and steelhead during steelhead and gamefish fisheries. It is worth mentioning that the Hoh Tribe has recently requested that all fishing be closed in this area in all fisheries taking place in 2021 fishing season.

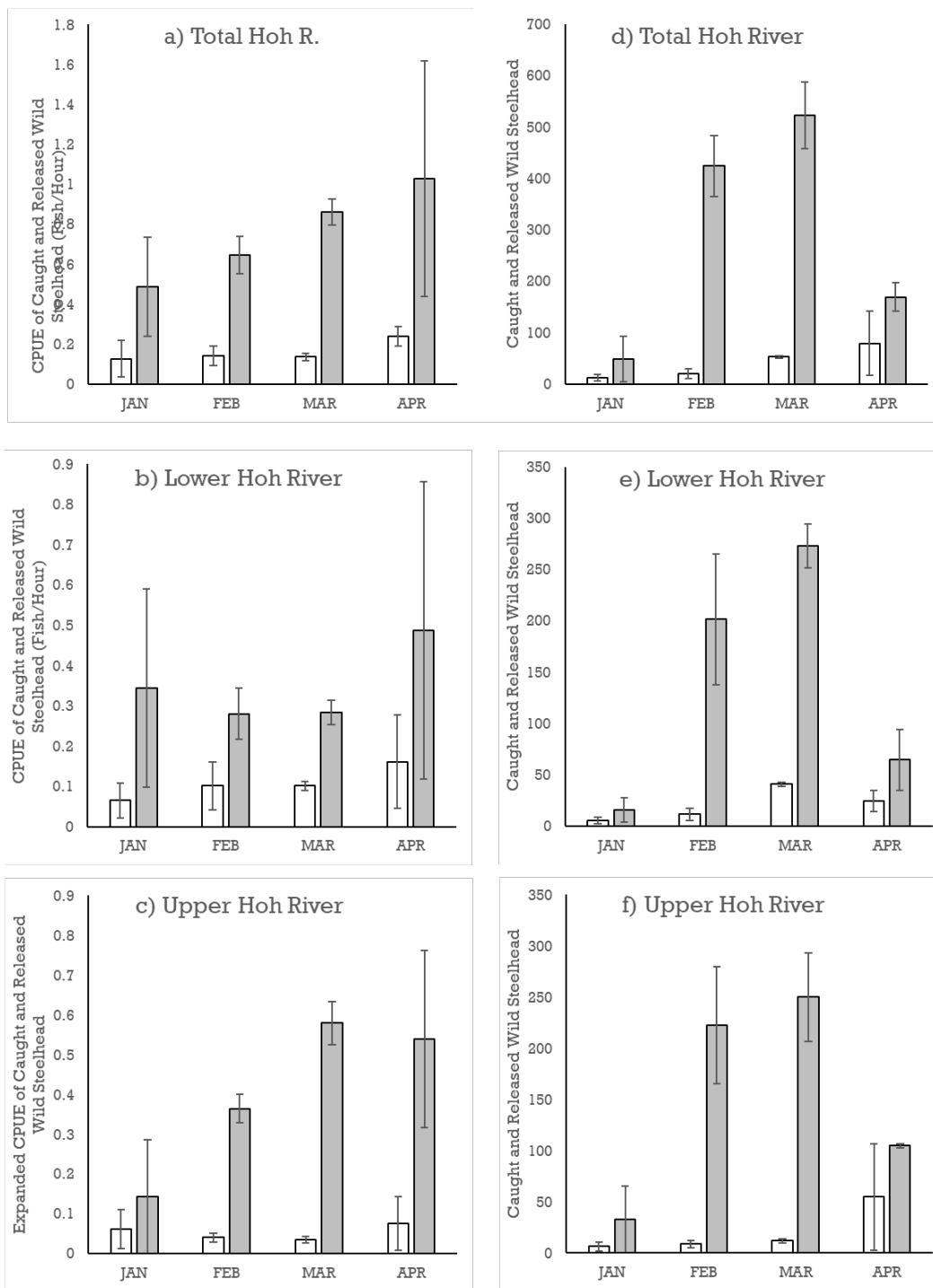


Figure 3. Comparison of wild steelhead catch for anglers fishing from boats (gray bars) vs. those from shore (white bars). Tiles on the left (a, b and c) represent differences in catch per unit effort (steelhead per angler) from boat vs. shore. Tiles on right (d, e, and f) represent total catch of anglers from boat vs. shore. The division between Upper Hoh River (c and f) and Lower Hoh River (b and e) is the boat launch at the Oxbow Campground just above the Highway 101 Bridge. Data collection and analysis was conducted by Washington Department of Fish and Wildlife in 2018, 2019 and 2020.

Staff recommendation:

Deny the petition. This recommendation is based on the work that was done by the North Coast Steelhead Advisory Group where this rule was designed, analysis of the effectiveness of this rule in reducing encounters on

wild populations of salmon and steelhead in the Hoh River and increased conservation concerns by WDFW and the comanagers since this rule was adopted.

Policy issue(s) and expected outcome:

Pursuant to RCW 34.05.330 Should the Commission: A) Deny the petition in writing, stating the reasons for the denial, specifically addressing the concerns raised by the petitioner, and where appropriate, the alternative means it will address the concerns raised by the petitioner; Or- B) Initial rule making proceedings?

Fiscal impacts of agency implementation:

None

Public involvement process used and what you learned:

No public process has been conducted for this petition. However, this rule received over 700 public comments in 2016 through the Sport Fishing Rule Change process.

Action requested and/or proposed next steps:

Deny the rule change. The adoption of the petition/rule would likely result in increased impact to wild populations of salmon and steelhead and may result in reduced fishing opportunity.

Draft motion language:

I move to deny the petition to change existing regulations on Morgan’s Crossing Boat Launch upstream to the Olympic National Park boundary below the mouth of South Fork Hoh River to allow fishing from a boat.

Is there a “second”?

If so, then motion maker discusses bases for motion; other commissioners discuss views on motion; amendments, if any, proposed.

Post decision communications plan:

A letter will be sent to the petitioner regarding the outcome of the Commission’s decision.

Form revised 1-20-21

Appendix 1

RCW [77.04.012](#)

Mandate of department and commission.

Wildlife, fish, and shellfish are the property of the state. The commission, director, and the department shall preserve, protect, perpetuate, and manage the wildlife and food fish, game fish, and shellfish in state waters and offshore waters.

The department shall conserve the wildlife and food fish, game fish, and shellfish resources in a manner that does not impair the resource. In a manner consistent with this goal, the department shall seek to maintain the economic well-being and stability of the fishing industry in the state. The department shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in this state.

The commission may authorize the taking of wildlife, food fish, game fish, and shellfish only at times or places, or in manners or quantities, as in the judgment of the commission does not impair the supply of these resources.

The commission shall attempt to maximize the public recreational game fishing and hunting opportunities of all citizens, including juvenile, disabled, and senior citizens.

Recognizing that the management of our state wildlife, food fish, game fish, and shellfish resources depends heavily on the assistance of volunteers, the department shall work cooperatively with volunteer groups and individuals to achieve the goals of this title to the greatest extent possible.

Nothing in this title shall be construed to infringe on the right of a private property owner to control the owner's private property.