

Eulachon Commercial WAC Update

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Background: The Department would like to update the Smelt Commercial Fishing Rules, associated with WAC 220-358-060. This rule outlines the Gear and Fishing Periods associated with commercial smelt harvest in the Lower Columbia River. As currently written, this rule leaves open commercial fishing periods that were thought to be closed in 2010, following the ESA listing of Eulachon.

Proposal: Staff proposed changes include striking the "Fishing Periods" section.

Decision: Currently this item is only a briefing, with time for public comment. The Commission will consider this item for decision in February 2023.

Proposed Changes to WAC:

WAC 220-358-060 Smelt. It is unlawful to fish for smelt in the lower Columbia River for commercial purposes or to possess smelt taken from those waters for commercial purposes, except as provided in this section:

Gear

- (1) Otter trawl gear may be used to fish for smelt if:
 - (a) The head rope of the trawl does not exceed 25 feet in length.
 - (b) The foot rope or groundline of the trawl does not exceed 25 feet in length.
 - (c) The dimensions of the trawl's otter doors do not exceed 3 feet by 4 feet.
 - (d) The bag length of the trawl, as measured from the center of the head rope to the terminal end of the bunt, does not exceed 35 feet.
 - (e) The bridal rope from the rear of the otter doors to the foot and head ropes does not exceed 8 feet.
 - (f) Each breast rope does not exceed 5 feet.
 - (g) The mesh size used in the trawl does not exceed 2 inches stretch measure.
 - (h) Only one trawl net is fished from the boat at a time.
- (2) Gillnet gear may be used to fish for smelt if it does not exceed 1,500 feet in length along the cork line and the mesh size of the net does not exceed 2 inches stretch measure.
- (3) Hand dip net gear may be used to fish for smelt if it does not measure more than 36 inches across the bag frame.
- (4) From December 1 through March 31 it is lawful for smelt fish-ers to have salmon or sturgeon gillnets aboard while fishing for smelt.

Fishing periods

- ~~(5) Otter trawl gear may be used to fish for smelt in SMCRA 1A from 6 p.m. Monday to 6 p.m. Wednesday of each week from March 1 through March 31, and for boats not exceeding 32 feet in length, in SMCRA 1B, 1C, 1D and 1E 7 days per week from December 1 through March 31 of the following year.~~
- ~~(6) Gillnet gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E 7 days per week from December 1 of each year through March 31 of the following year.~~
- ~~(7) Hand dip net gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E and tributaries to these areas 7 days per week from December 1 of each year through March 31 of the following year.~~
- ~~(8) The following areas of the lower Columbia River remain closed to smelt fishing during the open time periods specified in this section:~~
 - ~~(a) Those waters within one mile of a dam or other obstruction.~~
 - ~~(b) Those waters of the Cowlitz River upstream from a monument located at Petersen's Eddy, also known as Miller's Eddy.~~