

## **Fishing Guide Advisory Committee**

**December 5, 2023, 2:30-5:00 p.m.**

### **Zoom Meeting**

#### **Participants**

DFW Employees: Raquel Crosier, Chris Donley, Leah Snyder, Captain Wickersham

Advisors: Blake Merwin, Doug Saint-Denis, Bob Kratzer, Jeff Brazda, Jan Patricio, Keith Robbins, Roy Morris, Patric Gaffney, Caleb Hitzfield

Other Attendees: Kimberly Gordon, Jonathan Stumpf, Cary Hofman, Jacob Munden

#### **Hot Topics**

The committee began by discussing the Southcoast fisheries, including Skookumchuck, Wynoochee, Satsop, and Humptulips. The co-managers and program directors had multiple meetings with the Quinault Tribe regarding Grays Harbor fisheries, but an outcome has not been reached yet. The tribe planned to review the proposed models and follow up with the department after the review. The department committed to sharing the details of the Coastal Salmonids Management budget request with the group and working to develop a factsheet.

#### **Guide Regulation Discussion**

The committee then discussed the feedback received from guides regarding the limitations on non-resident guides' operations. There was a detailed discussion of concerns regarding a restricted number of non-resident guides and areas that do not allow them in certain areas. The group acknowledged that limitations with the interstate commerce clause could affect the feasibility of such restrictions. Additionally, the committee discussed the guides' ability to move around the state and the need to consider how to define crowded and look at water bodies. Concerns were expressed about the license fee increase and support for investment in guide licensing compliance, with a preference for other fund sources or passing the fee to clients.

Doug St Denis talked about a survey that was distributed by the Washington State Guide Association to get further input into the various regulatory options. The survey showed that 64% were against the proposed regulations, with varying levels of support and opposition depending on the regulatory option. The committee discussed the mechanics of limited entry, including the need for outfitters to have multiple licenses that they can lease to crew members. Additionally, there were concerns about the limitations on new guides' ability to enter the industry. Feedback from fish program leaders echoed many of the concerns raised by guides, including problems with picking on non-residents, increasing fees, and revising revocations for guides and not other commercial licenses.

Raquel and Chris reported that in conversations with fish program leaders, there was a desire to wait on revocation updates to be included in a broader commercial revocation update. This will allow the agency to review revocations statutes across all of its various commercial license types to ensure we have both consistency and the right tools in place to implement.

The committee then discussed caps versus limited entry licenses and some examples of existing agency licenses that fit in those categories. There seemed to be more committee interest in a cap which would reduce the financial barrier to new entrants. While some voiced an interest in exploring limited entry further, similar to the salmon charter licenses, there was concerns with a hard number that decreases over time through attrition. Most of WDFW's commercial salmon licenses are limited entry. With a limited entry license, the license is property of the owner vs the state and the owner can choose annually if they wish to fish on the license, pay to hold their license that year and not fish or lease their license. They can also choose to transfer their license permanently to another owner. However, if the license is not renewed annually it is permanently retired and the total number of limited entry licenses in the fishery declines. The group talked about the Salmon charter license which is a limited entry licenses and heard from some committee members who hold one. The group also talked through an example of a capped license, which is less common at WDFW. The capped licenses we have are owned by the state vs the license holder and are reissued annually with a preference to existing license holders. After existing license holders renew, the remaining licenses are available on a first-come, first-serve basis to new interested license holders. There was discussion around the potential need to restructure our existing guide licenses to move to a limited entry or cap system due to the desire to cap only salmon, steelhead and sturgeon guides which are currently covered across three different guides licenses – food fish (includes salmon and sturgeon), game fish (includes steelhead) and combination guide license (includes all three species).

The committee then talked about a regulatory tool some states are using to control guide use in certain popular fisheries, special use permits. Special use permits are limited permits required to fish a specific waterbody/lake/reservoir. The group talked through several examples of waterbodies, some where special use permits might be worth exploring and many which weren't a great fit for special use permits. The discussion revolved around the criteria for where special use permits might be considered and what factors would be weighed in deciding whether to issue them. The group asked staff to pull logbook data to help inform conversations around special use permits to see if it might help, along with other factors (number of access points, room to spread out, etc.) shape criteria and our definition of crowding.

The group discussed crowding at length and talked through potential defining factors like a sustained high volume of trips based on logbook reports, limited space to spread out, and input from private anglers, guides, and fisheries managers to assess crowding. The group provided

input that special use permits should be considered only in areas with exceptional crowding and disproportionate guide catch as compared to private angler catch.

The group also discussed which fisheries would be considered for special use permits. The focus would be on salmon, steelhead, and sturgeon fisheries, not trout or other resident fish fisheries. The group felt that these types of fisheries were most likely to experience exceptional crowding and, therefore, are more in need of special use permits.

Several waterbodies were discussed in detail during the meeting. For example, the Yakima River was considered, and while there is still some crowding on Sundays in September and October, overall crowding has decreased in recent years. Similarly, the Klickitat River was discussed as an area that has historically seen crowding, but has been less crowded in recent years. The Olympic Peninsula was also mentioned, and while there was much crowding in the past, it was noted that there had been a significant decrease in recent years. The group talked about the potential of special use permits helping open areas that have been otherwise closed, with limited special use permits providing more control over access and less pressure on the resource.

Some of the discussion centered around possible regulations that could be implemented to address crowding and perceptions of inequality in certain fishing locations. The first suggestion was to close certain areas to guided angling and angling from a guide-registered vessel on specific days of the week. This could apply to overcrowded lakes, reservoirs, rivers, or river reaches, seasonal or year-round. Some examples of water bodies that could be affected include Klickitat steelhead and salmon, Grande Ronde steelhead, Methow steelhead, Skagit steelhead, Upper Columbia sockeye and summer chinook, and some OP or Grays Harbor streams winter steelhead.

Another suggestion was to completely close all or part of a waterbody to commercial guiding activity if necessary. However, currently, there are no examples of this being needed. Some items need further exploration, such as restructuring licenses, limiting multiple daily trips, and evaluating where they occur most. Roy wondered about the start of a program that would create a group of guides with a protocol for training other guides to collect data to help managers. Chris pointed out that filling out the logbook would give us the best data set.

Some regulatory items were discussed, such as limiting guides and crew from retaining a fish while guiding and implementing days-of-the-week closures. Furthermore, there were suggestions for increasing eligibility by raising insurance, naming WA on the insurance, and requiring logbook reporting. Lastly, there was a discussion around developing criteria for special use permit authority so that we can evaluate and assign where appropriate through rules. Jan asked what the value of increasing the guide fee is. Raquel and Chris Donley responded that the fee was to raise dedicated funds for a commercial guide lead/ compliance support position but

emphasized that the agency is more interested in requesting general fund resources to fill that need vs proposing a fee lift.

### **2024 Committee Planning**

The group discussed 2024 for the group, which will hold quarterly meetings on February 21, April 10, June 19, and Sept/Oct (to be determined). The committee has prioritized some topics to focus on during the meetings, including consideration of new guide regulations, ways to improve compliance/enforcement of existing guide regulations, updates from committee members on topics/projects, and other updates related to fisheries, agency policy/budget items.

If they want to continue with the committee, existing committee members need to submit an email of interest informing the agency of their desire to continue. Agency staff discussed plans to do a broader solicitation via press release in the coming weeks.

### **Next Steps**

- Scope survey and focus groupsDevelop a proposal with multiple alternatives
- Get broader agency input
  - Legislative team
  - Fish program
  - Enforcement
  - Licensing
  - AAG
- Develop a plan for a broader outreach
  - Guides
  - Other states
  - Private anglers
- Doug reminded folks of the WA Guide Association meeting at the Puyallup Sportsman Show on February 1 before the show starts.
- Bob requested future talks about the enforcement of guides and compliance. Captain Wickersham mentioned an increase in contacts with non-compliant guides and made a request for tips on common offenders when guides see them on the water. Captain Wickersham gave his cellphone number, 509-254-1829, and will check with other captains for their info to ensure guides can contact enforcement when needed.