

**Fishing Guide Advisory Committee**  
**February 21, 2024, 3:00 - 5:00 p.m.**  
**Zoom Meeting**

**Introduction**

Raquel introduced the new team of advisors and provided a brief overview of the staff and committee members. The team included Chris Donley, the Region 1 Fish Program Manager (RPM), Leah Snyder, the Fish Program Admin Ops, and Raquel Crosier, the Fish Program Special Assistant. She then asked each team member to give a short introduction about themselves.

**Participants**

DFW Employees: Raquel Crosier, Chris Donley, Leah Snyder

Advisors: Blake Merwin, Doug Saint-Denis, Bob Kratzer, Jeff Brazda, Roy Morris, Caleb Hitzfield, Ravae O'Leary, Greg Kain, Brett Wedeking, Cary Hoffman, Steve Joyce

**WDFW Advisory Committee Orientation**

Raquel led the group in a detailed overview of the role and expectations of advisory members who support the Washington Department of Fish and Wildlife (WDFW). The advisory members play a critical role in providing recommendations to the agency on its operations and communications, helping to improve communication between the agency and fishing constituents and industry, identifying and raising concerns about issues and challenges facing recreational fishers, the industry, and the resource, and identifying opportunities for partnerships that can benefit the agency and the resource.

To ensure that the advisory members can carry out their responsibilities effectively, they must attend meetings regularly and thoroughly participate in the discussions. They are also expected to come prepared to meetings so that the talks are productive, read and provide comments on committee work products, stay informed of issues that impact the committee's work, communicate respectfully, openly, and transparently, respect diverse opinions, and recognize that compromise may be necessary to reach consensus. Additionally, committee representatives are expected to help disseminate information to fellow anglers and behave professionally during committee meetings and in other forums.

WDFW provides support to the advisory members in implementing their mission. It offers meeting support, scheduling, facilitation, agenda development, and meeting summaries. WDFW also provides relevant background and other briefing materials and timely opportunities for the group to advise the agency and provide timely communication on emerging issues. The agency respects all views and perspectives of committee members and communicates advisor recommendations and perspectives to agency leaders in time to influence decisions.

WDFW staff also outlined some ground rules that advisory members must follow during meetings. These include listening actively, avoiding side conversations and interruptions, communicating positively, productively, and proactively, respecting each other and diverse opinions, assuming the best of one another, building trust by speaking the truth to the best of our

knowledge, building each other up and not tearing each other down, and respecting each other's time by honoring the agenda. These rules ensure that meetings are productive and that all members can participate respectfully and constructively.

### **Work Plan Development**

Work Plan Development for the guide committee is a comprehensive plan aimed at developing and improving the guide industry in Washington State. The committee plays a crucial role in providing input on the implementation of logbook reporting rules, recommendations on guide licensing structure, and input on other laws and regulations that pertain to the guide industry.

The committee has been working on various projects to develop and improve the guide industry in the state. They have developed logbook reporting tools, beta-tested them, and shaped communications around the logbook rule and reporting. This has helped increase logbook data quality and compliance rates, now a critical tool for managing the guide industry. The committee has also worked on the CG Decal design and distribution, a tool for identifying licensed guides. They have created a code of conduct to guide associations to distribute, which sets guidelines for ethical behavior and best practices within the industry.

Additionally, the committee has reviewed current laws and rules for guides and developed a guide website on laws and regulations regulating guides. This website is now a valuable resource for guides and other stakeholders in the industry. The committee has provided input on WDFW communication products, which has helped to strengthen connections between guides and WDFW local teams and enforcement.

The committee has also worked on more communications around fisheries, science, NOF, and management decisions. This has helped increase transparency and promote a better understanding of the guide industry's challenges and opportunities.

WDFW staff shared that the agency has a few key objectives for 2024-2026 and is looking for the committee's ideas refining and building upon them to establish a work plan for the group. The agency's primary objectives include:

- Improving logbook data quality and compliance rates,
- Reviewing statutes and regulations that pertain to the guide industry and evaluating other management tools that might help achieve shared agency and industry values.

The committee had an initial discussion around additional work plan items; developing a public guide list to help customers find licensed guides, looking at logbook compliance rates and considering ways of improving them, building questions into the annual license renewal process about logbook reporting to confirm what we're seeing in logbook data (# trips taken previous year, areas they guide in, proof of logbook reporting, etc.). The committee also discussed the need to update the mission on the website so it reflects this group's work plan vs the mission of the group when it was originally formed in 2020.

WDFW staff shared some information on a couple of tools developed by the agency in collaboration with the 2022-2024 guide committee that may help evaluation of guide regulations; the annual logbook progress report and a research summary into other states guide regulations.

The guide logbook progress report is published annually and the 2023 annual report will be shared with the group in March.

### **Guide regulations and industry trends in WA**

Washington state sells three guide licenses, a game fish, food fish, and combo guide license. These licenses have no cap or limit on the number that can be issued. To become a licensed guide, one must have a business license, insurance, first aid certification, and a Coast Guard certification if they operate on federally navigable waters.

The regulatory structure for guides in Washington is the same as that for private anglers. This means there are no separate regulations for guides, the same rules apply to guides and private anglers. Additionally, there are no special use permits required for guides.

Several RCWs outline the current laws governing guide licensing in Washington. These include RCW 77.65.150, which outlines the requirements for guide licenses, and RCW 77.65.580, which outlines the penalties for violating guide regulations. RCW 77.65.370 outlines the requirements for food fish guide licenses, while RCW 77.65.560 outlines the requirements for game fish guides. Finally, RCW 77.65.590 outlines the criteria for combo guide licenses.

In addition to the RCWs, several WACs and one FWC policy also provide direction on guide licensing and regulations, these include WAC 220-351-020, WAC 220 351-050, and WAC 220-352-245 along with c-3630.

The group looked at the number of guide licenses in WA since 2016 which have trended between 500-600 licensed guides with about 5-10% being out-of-state guides. According to guide logbook data, not many guides take multiple trips in a day and most guides are taking between 1-25 trips in a year. Only four guides took over 100 trips in 2023. The group talked about the issues associated with compliance and under-reporting.

### **Guide regulations in other states**

The committee reviewed highlights from the research into other states guide licensing and regulatory structures. There were a few recurring big-picture themes:

- Other states are also grappling with similar issues (i.e., growing angler pressure, crowding in popular fisheries, perceptions of inequity between guides and private anglers).
- While viewed as a subset of the recreational sector of fisheries, like Washington, in some states, others view guides as a commercial enterprise.
- There was a lot of variation in the types of management tools used to license and or distribute opportunity to the industry and tradeoffs between precision and complexity.

In Alaska, guides must register with the Alaska Department of Fish and Game, but there are no current licensing requirements (their license program ended in 2019). Their regulatory structure may include guide-specific measures (e.g., no guiding days, guide bag limits); otherwise, guides follow the same regulations as private anglers. Alaskan guides and operators are liable for the violations of their clients. There are area/fishery-specific guide regulations, however, which include the Kenai River and charter halibut in 2C and 3A. In those areas, regulations include

additional permitting, orientation classes, no fishing while guiding, rod limits, and selective day closures.

Montana is one of two states with a licensing board, the Montana Board of Outfitters. Outfitter requirements include experience, exam, first aid certification, operations plan, and insurance. Nestled under outfitters in this model are guides requiring experience, outfitter endorsement, and first aid certification. The licensing board is only responsible; the Montana Fish and Wildlife Commission and Montana Department of Fish, Wildlife and Parks regulate the industry. Generally, they abide by the same regulations as private anglers with the possibility of the Commission restricting access in certain rivers (e.g., no commercial use seasons, no guiding certain days, limited access on restricted rivers). A guide in Montana will need a license from the Board of Outfitters. They will also need a commercial use permit, fishing access site permit, and special recreation permits, which limit the number of operators in different river sections.

Idaho follows a limited entry outfitter model overseen by the Idaho Outfitters and Guides Licensing Board. To be an outfitter in Idaho requires an exam, operations plan, business license, and insurance. Guides are once again settled underneath outfitters; guiding requirements include experience/training and first aid certification. The Licensing Board limits the number of float and power boat outfitters that can be licensed on certain waterways, and there also may be limits on the number of boats that each outfitter can launch, the number of clients per boat, and the number of trips a day.

In Wyoming, there are no statewide guide-specific licensing requirements with no specific regulations or restrictions for guides. However, they have fishery-specific guide regulations for particular counties and require Federal permitting on many rivers by BLM, USFS, and NPS. Wyoming has a long history of discussion/debate on how to manage outfitters and guides. It struggles with many of the same challenges as Washington and the other compared states and is currently conducting a study to propose new legislation this fall.

Outfitters and guides in Oregon are licensed through the Oregon Marine Board, unlike many others governed by fish and wildlife agencies, with no limit on the number of licenses issued. Oregon guide license requirements include liability insurance, first aid certification, bond, and Coast Guard certification (if operating in Federally navigable waters). There are no separate regulations for guides versus private anglers, and they require no special permits. Still, guides do need to declare areas they intend to fish on their annual license renewal application.

### **Values and Objectives for Exploring Guide Regulation Changes in WA**

The committee then reviewed values and objectives developed by the agency and previous guide committee intended to help ground our conversations around guide regulation changes in WA. Those values and objectives included:

- Improve the distribution and equity of fishing opportunity between guided fishing trips and private anglers.
  - Reduce conflict and provide a level playing field between private anglers and fishing guides.

- Ensure laws and regulations allow managers to anticipate fishing effort and achieve conservation goals.
- Ensure that regulations provide sufficient predictability and allow guides to move around and operate year-round.
- Reduce overcrowding and improve the quality of experience for guided and private anglers.
  - Maintain consistent regulations for guided and non-guided anglers (e.g., no separate bag limits).
  - Ensure new anglers have the ability to access fisheries through fishing guides.
- Improve accountability and enforcement for the guide industry.
  - Ensure laws and rules are enforceable and the Department has the capacity to enforce them.
- Implement standards that increase the professionalism and reputation of the guide industry and ensure safety for guided anglers.
  - Improve the economic stability of legitimate full time and part time guide businesses.
  - Ensure the ability for new guides to enter the industry.

### **Next Steps**

**The committee then had a discussion around work plan development and identified various next steps they hoped to accomplish prior to the next committee meeting in April. Next steps included:**

- ✓ WDFW staff will share the draft annual logbook progress report in March.
- ✓ WDFW staff will develop a draft work plan to include items discussed:
  - Discussion and recommendations for improving reporting tools.
  - Discussion and recommendations on ways to improve data quality (i.e., phase out paper logs, mobile app revisions).
  - Discussion and recommendations on ways to increase compliance (i.e., enforcement patrols, increased communication/ reminders, penalties for non-reporting).
  - Do some scenario planning to help consider what data and indicators might help us evaluate the guide fleet size and define crowding.
  - Consider how limited entry or cap would work with guide businesses operating as outfitters.
  - Meet with enforcement to evaluate enforceability associated with guide regulation and licensing ideas.
  - Develop vision for a public-facing list of licensed guides to help anglers find legitimate, licensed guides.