

Summary

Meeting dates: June 21, 2013 Commission Conference Call

Agenda item: Petitions to prohibit fishing from a floating device equipped with an internal combustion motors on the Naselle River.

Presenter(s): Craig Burley, Fish Management Division Manager

Background summary: The Fish and Wildlife Commission (Commission) has received a petition to restrict fishing from a floating device equipped with an internal combustion motor in lower Naselle River:

Naselle River, from Hwy 4 Bridge upstream to the Crown mainline (Salme) Bridge year-round internal combustion engines prohibited.

The petition states:

This change is needed because:

“The Naselle River is a small stream and has very heavy bank fishing. Several jet sleds were observed in this section of the river during the peak of the late coho run (late November thru early December). The operators of these boats had no regard for the bank fisherman or the environmental impacts of the prop wash. One wading fisherman had a near miss incident on a blind curve while a jet sled was traveling at a high rate of speed downstream. The resulting turbidity and disturbance impacted the ability to catch fish and evidently the prop wash onto the shoreline was substantial. Most of this section of the river is open and accessible for public fishing. This rule change will improve safety, reduce environmental impacts and improve the fishing experience for fisherman. A large number of fisherman and landowners support this rule change.

The fish runs on the Naselle are improving which will increase the fishing pressure. We expect a higher rate of incident if the rule is not adopted.”

WAC 232-28-619 currently prohibits fishing from floating devices equipped with an internal combustion motor from Hwy 4 (river mile 14.2) upstream to the Crown mainline (Salme) Bridge (river mile 23.6) from August 1 – November 15th. This rule, as implemented, was proposed and discussed during the 2013 North of Falcon salmon season setting process.

This timeframe coincides with the majority of the salmon fishing season without overlapping the steelhead season which generally begins in late-November into early December targeting early-timed hatchery-origin fish.

The key issue is competition between bank anglers and boat anglers in this section of the river. The issue is associated with the ethics that each constituent does or does not practice.

Policy issue(s) you are bringing to the Commission for consideration:

Pursuant to RCW 34.05.330 should the Commission:

- a) deny the petition in writing, stating (i) its reasons for the denial, specifically addressing the concerns raised by the petitioner, and, where appropriate, (ii) the alternative means
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by which it will address the concerns raised by the petitioner, or

b) Initiate rule-making proceedings in accordance with RCW [34.05.320](#).

Public involvement process used and what you learned:

The proponent indicated that a significant number of local fishermen and property owners have been queried regarding the proposed rule.

Outside of the North of Falcon salmon season setting process there has been no formal public process associated with the requested regulation. Given that a year round restriction would affect species other than salmon a formal public process to present the proposal and solicit public comment is needed.

Action requested:

Department staff requests that the Commission accept the petition and initiate the rule making process to include a public meeting in the town of Naselle, WA.

Draft motion language:

I move to **accept** the petition to restrict the use of internal combustion motors on the Naselle River as stated above and initiate rule making proceedings.

Justification for Commission action:

Based on the information provided in the petition there is sufficient reason to further investigate the need for such a rule within the local community and interested stakeholders through the formal rule making process.

Communications Plan: N/A
