

North of Falcon Policy

Commission Briefing – January 11, 2019



Policy C-3608

Expired December 31, 2018

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Purpose

- Review Draft Policy
- Public Process and Comments Received
- Commission considers adoption of revised policy

North of Falcon Policy

- Draft revised policy provided at December meeting
 - Added bullet prioritizing Puget Sound-origin sockeye for recreational fishing opportunity, eliminated reference specific to Lake Washington
 - Added clause to the references to other Commission policies that includes modifications and guidance from the Commission
 - Changed term of policy to 2019-2023
 - Commission discussion occurred on the meaning of making decisions consistent with *U.S. v. Washington*, with the intent of making sure Department pursues equitable sharing of harvest with comanagers

North of Falcon Policy

- Draft provided today includes all marked changes provided in December draft, plus an additional suggested change to the *Delegation of Authority* section

North of Falcon Policy

- Suggested addition to the *Delegation of Authority* section:
 - The Fish and Wildlife Commission delegates the authority to the Director to make harvest agreements with Northwest treaty tribes and other governmental agencies, and adopt permanent and emergency regulations resulting from the agreements made during the annual North of Falcon process. *Further, the Department has the authority to adopt ~~permanent~~ regulations for the protection, preservation and management of species other than salmon that are promulgated through the North of Falcon process, to the extent that such regulations are necessary to implement court orders, comanager agreements or Columbia River Compact agreements, to achieve Washington management objectives, or to comply with Endangered Species Act requirements.*

Public Process and Comments

- Comments on policy heard at November and December meetings
 - Opposition to changes to Puget Sound sockeye
 - Consider needs of Southern Resident Killer Whales when setting allocations
- Draft policy posted to web in December
 - Posted on Commission website in December with instructions for providing comment
 - Advisors informed that policy is up for renewal and link to website provided

Public Process and Comments

- Email comments received through January 2:
 - Discussion of sturgeon harvest in coastal areas outside of the Columbia should occur at NOF
 - Commission guidance to staff on policy implementation should receive opportunities for public input similar to those that occurred during policy development

Public Process and Comments

- Email comments received since January 2
 - Concern with new language on other Commission policies, want to ensure that policy modifications and/or guidance provided by the Commission are transparent, with opportunity for public input
 - Additional input that policy should include direction on Southern Resident Killer Whales

Addition language suggestion to address Commission guidance on other policies

- Grays Harbor will be managed consistent with the Commission's Grays Harbor Policy (POL C-3621), *including any modifications made to the policy, and any guidance or clarifications provided by the Commission after hearing public comment.*

Addition language suggestion to address SRKW

- Under other species section
 - *The Department will continue to consider effects of salmon fisheries on Southern Resident Killer Whales (SRKW) when setting fishing seasons. The Department will work with the National Marine Fisheries Service to refine tools to assess the effects of fisheries on available prey for SRKW, and will plan fisheries to ensure that they do not have unacceptable impacts from reduction to prey availability or from fishery vessel traffic, consistent with the Endangered Species Act.*

Policy Process

- November 2018
 - Briefed Commission and seek guidance on modifications
 - Initial public comment received
- December 2018
 - Briefing on potential revisions to draft policy
 - Additional public comment
 - Additional Commission guidance for revised draft
 - Revised draft posted online for public comment
- January 2019
 - Commission considers adoption of revised policy

North of Falcon Policy

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Questions?