

WAC 220-354-050 Limited participation salmon net fisheries. (1)

When the director determines that a harvestable amount of salmon appears to be available, but that full-fleet fishing effort has an unacceptable risk of exceeding the available harvest or compromises other specific management objectives, the director may authorize a limited participation fishery in extreme terminal fishing areas in order to provide additional opportunities for net fisheries where they might not otherwise exist. Such a fishery may be authorized for experimental or developmental fisheries, fisheries necessary to refine run size data, fisheries necessary to provide biological information, or in cases where:

(a) Other specific management objectives have been stated for the species and area in question; or

(b) There is a reasonable expectation that foregone opportunity will be claimed and the harvestable surplus cannot be carried forward to the next year of harvest; and

(c) Full-fleet participation with time, space, or gear restrictions cannot achieve the harvest goal.

(2) Only licensed commercial salmon fishers may participate in a limited participation fishery. Only one listing is allowed per license. Fishers who wish to have their name placed on a limited participation register must mark the appropriate box on their license renewal application, or so notify the department, in writing, by July 31st. Interested fishers must provide a message phone number at which they may be contacted.

(3) Each year the department will, from the list of interested fishers, use random selection to create a priority list for gillnet fishers and a priority list for purse seine fishers. Priority registers will be available for inspection at the department's Olympia office, or upon written request to the department. Once the priority lists have been created, sale or transfer of the license shall invalidate the receiver from participation in that year's limited participation fishery.

(4) The number of units of each gear type selected to participate in a limited participation fishery will reflect the most recent ratio of gear types in the full-fleet fishery directed at the species in question, except when conservation concerns, biological data collection needs, or specific management objectives dictate alternative ratios or use of a single gear type.

(5) When a limited participation fishery is authorized, the department will contact fishers from the priority register at least twenty-four hours prior to the opening of the fishery. When a fisher cannot be contacted after reasonable effort, the department will select the next name, until the maximum number of allowable units of gear is reached. If not reached, the fisher's name will remain at the priority position, but the fisher may not participate in that limited participation fishery. Agreement to participate, or declining to participate, will remove the fisher from the priority position, and place the name at the bottom of the priority list.

Agreement to participate in an authorized limited participation fisheries will require a department observer on board a participating vessel. An additional permit may be required by a participating vessel to allow for a department observer to complete work associated with biological data collection needs meeting specific management objectives.

(6) Examples of specific management objectives include but are not limited to:

- (a) Reducing levels of incidental catch of wild salmon stocks;
- (b) Reducing incidental catch of nontarget salmon species originating from regions other than the fishing area; or
- (c) Specific recreational emphasis action.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-354-050, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047 and 77.04.020. WSR 09-15-054 (Order 09-108), § 220-47-500, filed 7/9/09, effective 8/9/09. Statutory Authority: RCW 75.08.080. WSR 92-15-105 (Order 92-47), § 220-47-500, filed 7/20/92, effective 8/20/92; WSR 90-13-025 (Order 90-49), § 220-47-500, filed 6/11/90, effective 7/12/90.]