

**Senate Agriculture, Water, Natural Resources & Parks  
Coastal Steelhead Rules Work Session  
January 12, 2021 at 1:30 pm**

**Testimony & Materials for Panelists:  
Tom Moonan, Bill Meyer, Ryan Bullock and Cary Hoffman**

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Good afternoon Chair Van De Wege, and members of the Committee. Thank you for holding this hearing today on the Washington Department of Fish and Wildlife's recently enacted emergency regulations for winter steelhead.

My name is Tom Moonan and I live in McCleary, WA. I am a United States Army Veteran that served during Operation Enduring Freedom, an avid steelhead angler, and a recreational fishing guide. I am also the President of Grays Harbor Sportfishing Coalition, and most importantly a husband and father.

My fellow guides, Bill Meyer, Ryan Bullock, and Cary Hoffman, and I appreciate the opportunity to testify today to express our concerns about the emergency regulations, and to respectfully offer some suggested short- and long- term solutions.

As President of the Grays Harbor Sportfishing Coalition, I am not only speaking as a guide, but also on behalf of a large number of recreational anglers and affected businesses, including lodging, restaurants, convenience stores, and sporting good shops.

The first point we all want to make is that we support actions that conserve and protect wild steelhead populations on the Olympic Peninsula, in the Chehalis Basin, and in Willapa Bay. Each one of us became a guide because we love to fish, and we each love and want the best for these special fish. And we acknowledge that we need to take actions that address poor run size forecast for this year, while also proactively discussing and implementing measures that address long-term trends.

We support conservation regulations that are necessary, effective, and fair. As you will hear, in our view, the emergency regulations miss these marks.

One of the most troubling aspects of the emergency regulations is that the department has enacted a blanket prohibition to fishing from a floating device in all rivers and streams up and down the coast and in the Chehalis Basin. In doing so, the agency seems to have abandoned its traditional river-by-river management practice for a one-size-fits-all approach.

Based on our collective decades of experience, it's our view that a majority of steelhead anglers on the coast fish out of boats. And, depending on the river system, accessibility, and wading safety, boat anglers can comprise up to 97% of the total anglers on some rivers based on creel surveys. (See Appendix C – Boat vs Bank Anglers).

Moreover, for many anglers, and for many of our clients, fishing from the bank simply isn't practical. The individuals most affected are the physically disabled, the elderly, disabled

Veterans who suffer from combat related injuries and PTSD, children who are the future advocates for salmon and steelhead, and those who sincerely don't have the physical ability to safely traverse uneven terrain and slippery rocks, or cannot wade the cold and swift rivers where we fish for steelhead. Enacting no steelhead fishing from a floating device regulations across the entire region is simply not fair to these folks.

It's also inconsistent with WDFW's Statewide Steelhead Management Plan. On page 14 the SSMP directs the agency to "provide diverse fishing opportunities" for steelhead by "[a]ssur[ing] that the diverse interests of the recreational fishing community are addressed, including catch and release, retention, accommodations for disabled anglers, access, and multiple gear type opportunities." We don't understand how prohibiting fishing from boats across the entire region fulfills the Plan's mandate to "assure that the diverse interests of the recreational fishing community are addressed."

Moreover, we understand that WDFW has refused to make accommodations for disabled anglers to fish out of boats for steelhead across the region – even boats anchored next to shore. Whether or not this is legal, in our view it reflects poor judgment.

We realize that WDFW has justified its rule as necessary to reduce the number of wild steelhead that are caught and released. And certainly, this is one way to achieve that end. However, without providing some opportunity to fish out of a boat, especially on rivers with abundant hatchery fish, where wild fish are doing relatively OK, or where conditions make bank fishing and access difficult, WDFW is essentially favoring certain anglers while excluding a large number of anglers from participating in the fishery at all. We feel WDFW could have achieved its conservation objectives in a more fair and balanced manner.

In closing, we are not here to argue that runs of wild steelhead are doing great and that conservation measures are not needed in many places. Instead, we support necessary and effective regulations that are fair and provide diverse opportunities to all user groups so that the burden of conservation does not fall inequitably on any group of anglers because they fish a certain way.

My colleague Cary Hoffman's testimony will outline our suggested solutions.

Thank you again for holding this hearing and listening to our concerns

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Chair Van De Wege and Committee members. Thank you for allowing me to testify today.

My name is Bill Meyer and I live in Forks, Washington.

I have been an avid steelhead fisherman and fishing guide here in Washington State since the mid-1990s. I'm proud to have built a successful small business and livelihood in a rural community doing what I truly love to do.

I'd like to speak with you today about how these emergency regulations have affected me, the recreational fishing guide industry on the Peninsula and in the Chehalis Basin, and the spill-over impacts to rural communities.

The winter steelhead season is the life-blood of our businesses. I cannot overstate its importance to resident guides like me who live in this region. Experienced guides who have built up repeat customers are typically booked nearly solid from mid-November through at least mid-April.

The emergency regulations – in particular, the no fishing from a floating device regulation – is a devastating blow to us. While in theory we can still take anglers fishing as long as they fish from shore, as a practical matter, many of our clients simply have decided to either fish elsewhere or not at all. Their reasons are many – some don't have the ability to get in and out of a boat all day and walk up and down gravel bars; others simply don't want to, or don't want to be forced to crowd with other anglers on a few bank accessible spots. And they know they don't have to, because they can go elsewhere, such as to Southwest Washington or to Oregon where fishing from boats is allowed.

I personally have lost a significant number of bookings since the regulations were announced, and I expect to lose more. And I'm not alone. Since the regulations were enacted, I've spoken with a number of other guides who have lost considerable business. I know this isn't scientific, but we surveyed 49 coastal guides, and they reported an expected estimated revenue loss of \$1,425,000 due to the emergency regulations. That averages out to over \$29,000 per guide. And guides in our survey reported returning \$280,000 in just deposits for cancelled trips alone.

None of us went into the fishing guide business expecting to get rich. Rather, this industry supports working families in rural communities. And while these figures might not be impressive when talking about the likes of Microsoft or Amazon, these are big financial impacts to us and our families.

It's not just guides who are impacted either. Our clients stay in motels and bed and breakfasts; they eat at local restaurants, buy lunches, and fill up with gas. So, there is a significant ripple effect from this loss of revenue coming into our communities.

During winter in Forks, a common sight was anglers towing boats to their favorite fishing areas. In town you would see multiple boats on trailers parked in hotel, restaurant, and grocery store lots. This season, there is substantially less anglers patronizing and supporting these local businesses.

Moreover, the impact is not just economic. Some of these traveling fishermen and fisherwomen are steeped in decades of family fishing traditions.

Especially frustrating is the impact of these regulations on our early hatchery steelhead season. During the first part of the season, typically late November through mid-January, we mainly catch hatchery fish as the vast majority of the wild fish show up later. Everyone agrees that these early-timed hatchery steelhead should be caught and retained to the maximum extent possible. This is an otherwise slow time for the tourism industry on the coast due to the cold and rainy winter weather, so the early-timed hatchery fish season, and the out-of-town anglers its draws, is an important stimulus for our community.

The emergency regulations went into effect on December 14, right in the heart of our hatchery steelhead season. While this had a significant negative impact on our businesses and our ability to take clients fishing for hatchery steelhead, it provided little conservation benefit for the wild fish, because not many wild fish are caught during the early season. Thus, we feel it was unnecessary and ineffective to implement the emergency regulations in mid-December in light of the minimal conservation benefit for wild steelhead. (See Appendix E - Nov-Jan Sport Catch Numbers and Appendix B - Timeline of Events).

And all of the above comes on top of the pandemic, which caused us to lose a significant part of last year's season due to everything shutting down in late-March through early May. Sport fishing guides were also the only fishing-related business to not be included in the \$300 million set aside for Fisheries and Aquaculture in the Cares Act. So, losing out on business again this year is a doubly hard pill to swallow.

While my testimony has focused on impacts to guides and other businesses in rural communities, I want to close by reiterating what Tom said. The recreational fishing guide industry supports measures to conserve and protect wild steelhead; and we'll support regulations even when they hurt our business so long as they are necessary, effective, and fair.

To that end, we suggested some alternatives to WDFW before the emergency regulations were enacted, and Cary Hofmann in his testimony later will provide some ideas to you for moving forward.

Thank you. I genuinely appreciate the opportunity to speak with you today.

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Chair Van De Wege and members of the Committee, good afternoon.

My name is Ryan Bullock. I am the vice president of the Olympic Peninsula Guides Association, and a full-time fishing guide living in Forks, Washington.

In addition to our testimony, we have provided supporting materials to you in advance of the meeting.

You have heard others testify about the imperiled state of winter steelhead on the Washington Coast. While there is undeniably a concerning long-term downward trend in abundance, the sky is not falling this season.

Just two years ago, WDFW scientists completed a risk assessment of steelhead populations statewide. Notwithstanding the long-term coastwide decline in abundance, this assessment concluded that many coastal populations were at low or moderate conservation risk, and the risk of extinction for many was zero. While some population numbers have declined since the assessment was completed, other populations have not changed much at all.

Moreover, it's important to remember that all recreational angling for wild steelhead is strictly catch and release, and released fish have a low post-release mortality rate. So, while many factors impact steelhead populations, catch and release impacts are very low on the list of causes for any long-term decline.

In my testimony, I would like to highlight a couple concerns with WDFW's emergency regulations.

The three primary rivers comprising the Quillayute system – the Sol Duc, Bogachiel, and Calawah – along with the Hoh River, are the principal rivers supporting recreational steelhead angling and the guiding industry centered in Forks. This year's run size forecast for the Quillayute system is 9,271 wild winter steelhead, which is 3,371 above system's spawning escapement goal of 5,900.

Those 3,371 fish above what is needed for spawning are available for harvest, and are allocated 50/50 between the state and Tribe, resulting in 1,686 for each.

The annual harvest management agreement between the State and Quileute Tribe indicates the Tribe has modelled its fishery to harvest 1,684 of its 1,686 allocation. In contrast, the state's recreational fishery is modelled to result in only 548 wild steelhead non-harvest mortalities, which is less than one third of the state's allowable share. This leaves an additional 1,138 wild steelhead above WDFW's escapement goal to spawn, thus providing a significant conservation

buffer. (See Appendix A - Projected Tribal and Sport Harvest Based off of the 2020-21 Signed Co-Manager Harvest Management Plans).

Interestingly, the state's projected 548 non-harvest catch and release mortality figure was modelled prior to, and does not reflect implementation of, the current emergency regulations or reduction's in non-harvest mortality from restrictions made in 2016-17. WDFW has reported the emergency regulations are anticipated to reduce catch of wild steelhead by 50%, which would accordingly result in the recreational non-harvest mortality figure of 548 being cut again in half.

Because the wild steelhead run in the Quillayute is forecast to come in well-above its escapement goal – which it consistently has in the past -- WDFW has a significant conservation buffer which should allow the flexibility to permit fishing from a floating device in order to mitigate adverse socio-economic effects while still meeting its conservation objectives.

This we believe is what is required and contemplated by WDFW's legislative mandate under RCW 77.04.12, which directs WDFW “in a manner that does not impair the resource,” to “seek to maintain the economic well-being and stability of the fishing industry” and “enhance and improve recreational [ ] fishing in the state.”

I'd like to make one final point. WDFW has historically employed a river-by-river approach to management and emergency regulations, tailoring its regulations to the specific conditions, conservation needs, and forecasts for each management unit. In contrast, this season WDFW has applied its emergency regulations uniformly across the entire coast notwithstanding significant differences in conservation needs and angling conditions.

This approach results in some non-sensical regulations. For example, under the uniform emergency regulations, some small, wild steelhead streams, such as the West and Middle Forks of the Satsop River, which historically closed at the end of February to protect spawning steelhead, are now open until March 31 and thus subject to greater impacts.

These are just 2 of many examples of how WDFW's one-size-fits-all approach may thus result in greater impacts on less healthy populations, and less impacts on healthier populations. None of the above outcomes are consistent with meeting sound management objectives.

Thank you for the opportunity to provide this testimony.

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Good Afternoon Senator Van De Wege and Members of the Senate Agriculture, Water, Natural Resources & Parks Committee.

Thank you for this opportunity today to discuss our issues regarding winter steelhead fishing.

My name is Cary Hofmann, I am the Vice President of the Grays Harbor Guide Association and an executive board member of the Washington State Guides Association. I am also a Washington State Fishing Guide and Charter License Owner and Captain that operates in Puget Sound and Westport Washington. Beyond that I am a Graduate from the University of Washington with an Aquatic and Fishery Science Degree and I own and operate a Salmon Habitat Restoration Firm that works and partners with Environmental Non-profits and Government organizations throughout the Puget Sound and Grays Harbor.

I have spent my life and career up to this point focused on nurturing, sustaining and teaching Sportsmen and Women the amazing life history and complexities that surround Steelhead and Salmon. In recent steelhead seasons I have been part of an opposition to the Departments blanket restriction approach and supported closures of certain systems when angling pressure shift was a concern. Winter 2020 provided a case study of pressure shifts when the Department implemented an emergency closure for the Chehalis Basin on February 17, 2020. All fishing in Washington state was closed due to COVID-19 on March 23<sup>rd</sup>. The Department conducts creel surveys, one of very few, on Forks area rivers that include a record of the number of anglers each day. We reviewed these numbers and compared them to the previous 5 years of data (Feb 17-Mar 15) and found no significant increase in angling pressure as a result of the Chehalis Basin closure in 2020 (see Appendix F – Pressure Shifts).

It is with this background and the testimonies provided by my counterparts that I believe we can meet conservation objectives with a more fair and equitable resolution for all users. To do this we ask for the following:

1. Establish and insure inclusive, equitable and appropriately timed steelhead fisheries for all user groups including Veterans, Elderly, younger and newer generations and those that simply cannot fish any other way than from a boat by:
  - Opening the Quillayute system to fish from a floating device and selective gear rules until 4/30/21
  - Opening the Hoh River to fish from a floating device and selective gear rules 4/15/21
  - Opening the Wynoochee River, a river with a robust hatchery run and limited access, to fish from floating devices and selective gear rules to allow access to our tax funded fish until 2/28/2021.

- If the Chehalis basin is truly in as dire of a state as the regulations suggests then we would support a full closure for the Chehalis River and Tributaries.

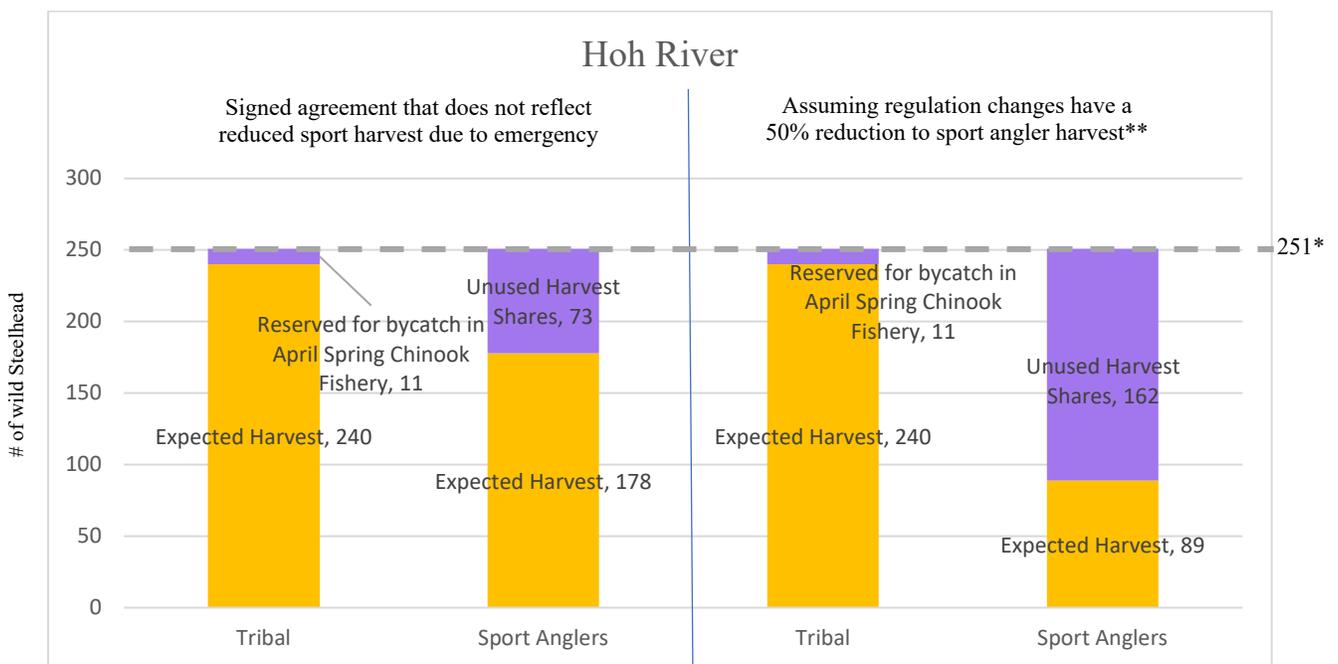
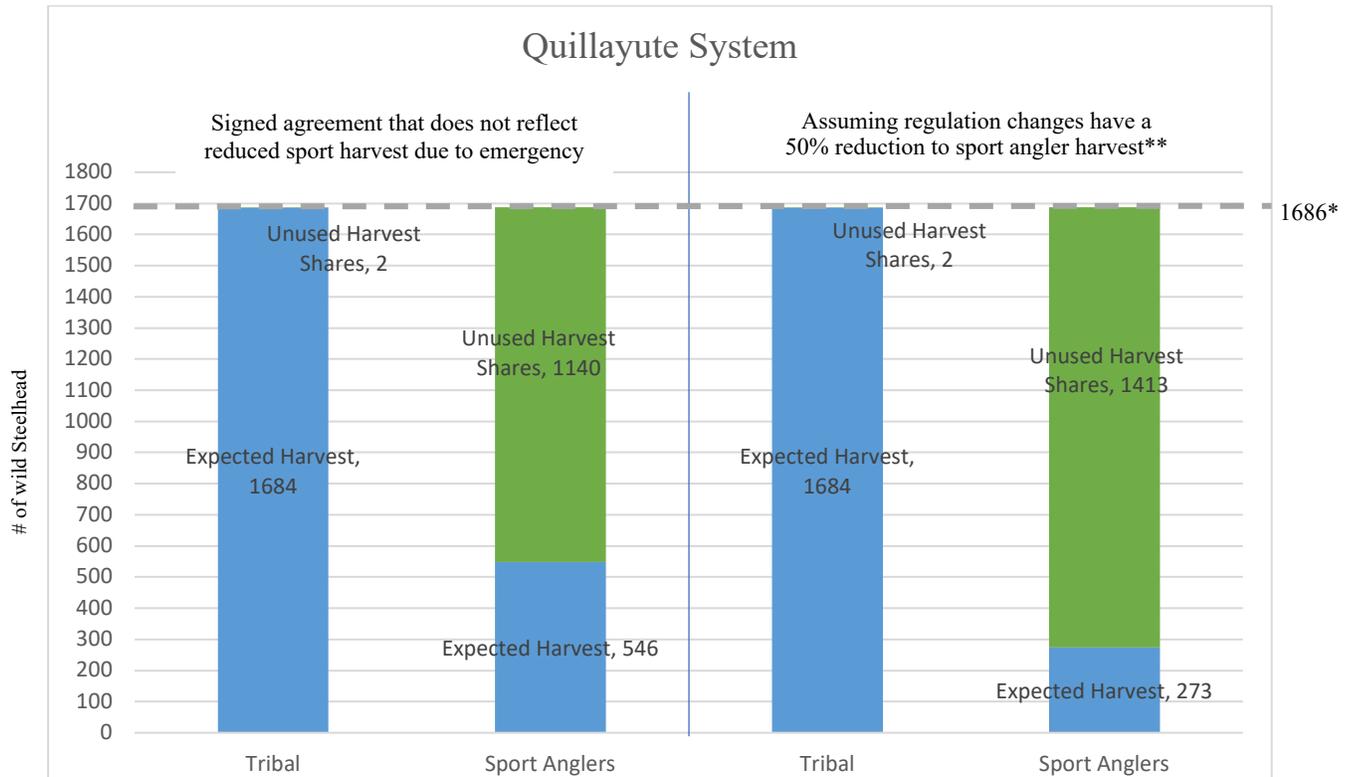
2. We also ask the Committee to ensure the Department complete Regional Management Plans for each individual river basin to recognize the unique issues of each river and meet the objective of creating inclusive, equitable and appropriately timed steelhead fisheries for all user groups. We accept that a thorough Regional Management Plan may take some time, so in the short term we ask that a Coastal Steelhead Advisory Group be set up to discuss policy, process and provide options for a 2021-2022 Coastal Steelhead Season that can be adapted as soon as 2021-2022 Steelhead forecast are available.

We strongly feel the fisheries we suggest can be conducted and still Preserve and Protect Wild Steelhead in Grays Harbor and Coastal Olympic Peninsula Rivers.

Thank you for your time today.

Does anyone have any questions?

Appendix A: Projected Tribal and Sport Harvest Based off of the 2020-21 Signed Co-Manager Harvest Management Plans



\*2020-21 Co-manager agreements state available fish for sport and tribal harvest is 1,686 for each co-manager on the Quillayute System and 251 for each co-manager on the Hoh River.

\*\*WDFW is predicting a 50% reduction to sport angler wild steelhead harvest in 2020-21, however, we believe this restrictions would drop sport harvest substantially more than this chart shows.

Appendix B: Timeline

**Timeline of Events in Regards to Coastal Steelhead Regulation Changes**

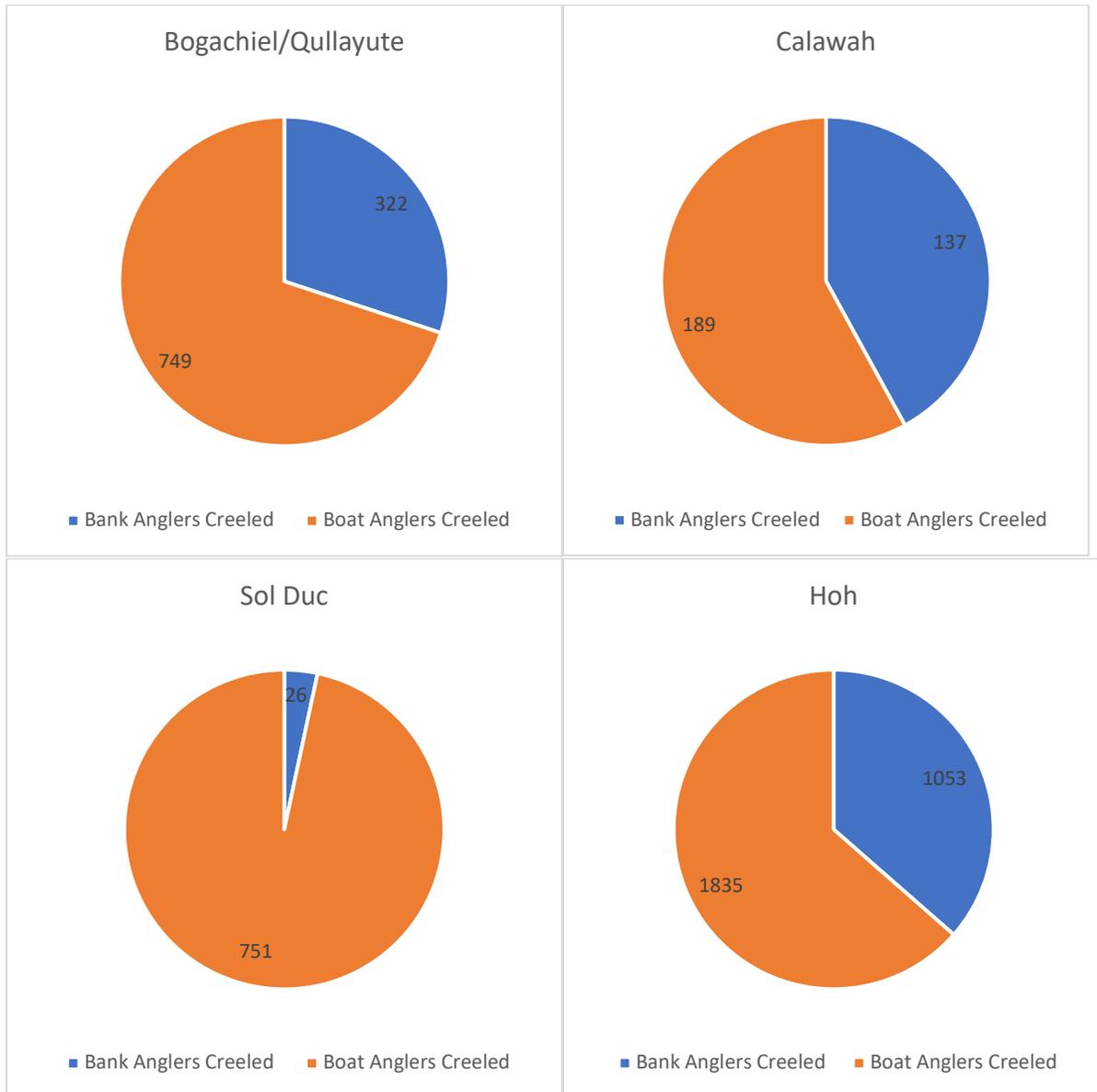
Date	Notes
9/1/20	Washington Department of Fish and Wildlife (WDFW) had “technical discussion with tribal Co-Managers” on upcoming steelhead forecasts.
11/2/20	Monthly Washington Guide Advisory Meeting. WDFW in attendance. No mention of concerns or possible closure for coastal rivers
11/3/20	Monthly Olympic Peninsula Guides Association (OPGA) meeting. James Losee, WDFW Region 6 Fish Program Manager in attendance, he makes no mention of potential restrictions or closures. Pre-season run forecasts for Quillayute System and Hoh River suggest more than adequate run size for normal season so OPGA is unaware of a need for concern.
11/12/20	Town Hall Meeting invite is sent out by WDFW to discuss low returns predicted in the Chehalis System.
11/24/20	"Chehalis Steelhead" Town Hall Meeting Held. 160+ members from the public in attendance. 4 Options were provided by WDFW ( <a href="https://wdfw.medium.com/changes-to-the-coastal-steelhead-season-67131dd05ba7">https://wdfw.medium.com/changes-to-the-coastal-steelhead-season-67131dd05ba7</a> )
11/30/20	Deadline for stakeholder feedback from Town Hall to be sent to WDFW.
12/1/20	<p>Monthly OPGA meeting. James Losee, WDFW in attendance. Losee informed members they were leaning towards both options 1 and 3 presented in the townhall (blanket coastwide - early closures, no floating device (excluding modifications allowed for selective/unsafe waters), and gear restrictions however WDFW could not provide a new target conservation goal for the Hoh and Quillayute system which would meet traditional conservation goals without restriction). OPGA members provided creative solutions that would allow fishing from floating devices, would regulate all user groups equitably, would have less strain on limited enforcement, and most importantly would reduce angler encounters with steelhead.</p> <p>A multitude of emails, questions, and a second request to meet with WDFW were made following this meeting but no responses or updates were given.</p>
12/3/20	As part of routine Fish & Wildlife Commission meetings, the Department’s staff had a “Fish Committee Meeting” with Governor appointed Commissioners Carpenter, Graybill, Kehoe, and McIsaac. Topics covered were Willapa Bay policy update and Hatchery Policy Update. WDFW made no mention of Coastal Steelhead rule changes that were currently pending.
12/4/20	WDFW Commission held a “Regular Meeting” that had an open public comment period. During public testimony, Rod Fleck (Forks City Attorney) & Ravae O’Leary (OPGA Secretary) were the first to bring pending coastal steelhead regulation changes to light to the Commissioners. Chair Carpenter admitted this was rather embarrassing.
12/4/20	WDFW had a Meeting with Coastal Guide Associations who provided the department with suggested rule change modifications. The Department initially seemed receptive and promised to “look into them.” After review, the Department only provided feedback that they felt the proposals did not do enough with no feedback on what objectives would not be met.
12/8/20	OPGA held a meeting with Senator Van De Wege & Representative Chapman informing them of this issue.
12/8/20	WDFW Guide Advisory Committee meeting is held. WDFW informed advisory committee that a public announcement of rule changes would be out in one hour.
12/8/20	Regulation changes were announced. Regulations reflect 0 changes or improvements suggested by the above-mentioned groups ( <a href="https://wdfw.wa.gov/news/state-announces-changes-coastal-steelhead-recreational-fishing-season-meet-conservation">https://wdfw.wa.gov/news/state-announces-changes-coastal-steelhead-recreational-fishing-season-meet-conservation</a> )
12/11/20	Due to massive outcry from the sport fishing community, WDFW Commissioners held a Special Fish Committee meeting to hear stakeholders (over 500 attendees). Unfortunately, due to a lengthy presentation by the Department time constraints only allowed around 25 of the people signed up to be able to testify. The Department told those who were unable to testify to email in questions and comments and promised to answer all questions received. Still no response as of 1/9/21.
12/14/20	Regulations went into effect.

## Appendix C: Boat vs. Bank Anglers

WDFW Creel (Angler Survey) Data showing the % of sport angler's fishing in the 2018-19 and 2019-20 winter steelhead seasons on the Quillayute System (Bogachiel/Quillayute, Calawah and Sol Duc Rivers) and the Hoh River.

### Boat vs. Bank Anglers

From WDFW Creel Surveys from the Last Two Winter Steelhead Seasons (December-April)



Appendix E: WDFW Sport Catch Report

Cumulative Totals of Hatchery & Wild Steelhead Harvested in WA Coastal Streams in **November, December and January** for the 2010-11 to 2014-15 seasons from WDFW Sport Catch Report

<b>Season</b>	<b>Chehalis - Hatchery</b>	<b>Hoh - Hatchery</b>	<b>Hoh - Wild</b>	<b>Quillayute System - Hatchery</b>	<b>Quillayute System - Wild</b>	<b>Humptulips - Hatchery</b>
2014-2015	6732	59	5	2412	5	477
2013-2014	2091	1128	0	1624	0	566
2012-2013	2959	204	8	2314	3	639
2011-2012	1946	1519	6	4746	3	902
2010-2011	2071	227	0	3672	10	321
<b>Average Annual</b>	<b>3159.8</b>	<b>627.4</b>	<b>3.8</b>	<b>2953.6</b>	<b>4.2</b>	<b>581</b>

The above table shows the Hatchery and Wild steelhead harvested in the Quillayute and Hoh River System as well as the hatchery fish harvested in the Chehalis and Humptulips River System each November, December, and January from the 2010-11 season to the 2014-15 season (Wild steelhead retention was outlawed starting in 2016). Each year thousands of hatchery steelhead are harvested by sport anglers in all 4 systems. During this same period nearly 0 wild steelhead were harvested on the Quillayute System and Hoh River by anglers targeting hatchery fish. Although the Chehalis and Humptulips Systems weren't open for wild steelhead harvest, we can assume catches of wild steelhead would be equally as small based on having similar run timings and smaller forecasted returns as those in the Quillayute System.

## Appendix F: Pressure Shifts

### Examining Pressure Shifts

