



January 29, 2021

Mr. Larry Carpenter
 Chair
 WA Department of Fish & Wildlife
 Commission
 600 Capitol Way N.
 Olympia, Washington 98504

Ms. Theresa Nation
 Habitat Division
 WA Department of Fish & Wildlife
 PO Box 43200
 Olympia, Washington 98504-3200

RE: Joint Comments on Draft Regulations for ESHB 1261

Dear Washington Department of Fish and Wildlife Commissioners:

Thank you for the opportunity to comment on the proposed rules for ESHB 1261. Many of the 66 undersigned organizations signed a letter sent to the Washington Department of Fish and Wildlife (WDFW) Directors on April 1, 2020 urging the adoption of strong regulations that match the intent of the law.

Passage of this legislation was the result of a decade-long hard-fought win for salmon recovery, orca whales, and clean water. The law bans the practice of motorized suction dredge mining in Washington rivers and streams that have been designated as critical salmon habitat to protect the hundreds of

millions of dollars of investment in salmon habitat restoration efforts by federal, state, and municipal governments, conservation organizations and Tribes.

We appreciate the overall good work and diligence of the agency in advancing these rules consistent with the intent of the law. These proposed rules are extremely timely as more and more Washingtonians begin to find recreational opportunities in our vital salmon and steelhead watersheds and we continue to wrestle with the impacts of habitat degradation.

We believe the proposed rules address our concerns regarding the implementation of ESHB 1261 except for the removal of WAC 220-660-305(8). While we appreciate the concept that because of ESHB 1261 not as many motorized miners will be seeking HPAs, we still believe, as Department of Ecology continues to refine which waters motorized mining may be permitted, requiring reporting is necessary and precludes future revisions back to a reporting mechanism if more waters are opened to motorized mining.

We also want to encourage WDFW to continue collaborative enforcement with the Department of Ecology. WDFW's Habitat and Enforcement staff are extremely familiar with not only mining claims and sites, but also the mining community itself. Visits by WDFW staff, engaging with miners on site, can be extremely helpful in further educating the mining community about the new law, regulations, and enforcement.

Again, thank you for your good work on implementing ESHB 1261.

-

Sincerely,

Kim McDonald
President
Fish Not Gold

J Michelle Swope
Washington Regional Coordinator
Native Fish Society

Tom Uniack
Executive Director
Washington Wild

Mike Petersen
Executive Director
The Lands Council

Bill Arthur
Vice Conservation Chair
Washington Chapter Sierra Club

Rich Simms
President
Wild Steelhead Coalition

Brad Throssell
State Chair
Washington Council of Trout Unlimited

Lucy Brookham
Policy Manager
Cascade Forest Conservancy

Steve Jones
Conservation Chairman
Clark-Skamania Flyfishers

Brett VandenHeuvel
Executive Director
Columbia Riverkeeper

Trish Rolfe
Executive Director
Center for Environmental Law & Policy

Rick McGuire
President
Alpine Lakes Protection Society

Sarah Kliegman
co-Executive Director
Okanogan Highlands Alliance

Ann Darlington
BOD President
Friends of Heybrook Ridge

Allen Gibbs
Vice President
Pilchuck Audubon Society

Jon Bowne
President
Inland Empire Fly Fishing Club

Jay Galvin
President
The Rainier Audubon Society

Arthur Campbell
President
North Central Washington Audubon Society

Paul Fish
President
Mountain Gear, Inc

Kevin and Meghann Quinn
Co-Owners
Bale Breaker Brewing Co.

Robert Kaye
Chair, Conservation Committee
North Cascades Audubon Society

Amy Grondin & Greg Freidrichs
Owners
Duna Fisheries, LLC

Kelsey, Ben, Liz & Craig Curran
Owners
Watershed Pub & Kitchen

Raymond Kwan & Barry Chan
Owners
Lucky Envelope Brewing

Mike Clancy
Conservation Chair
WA State Council of Fly Fishers International

Brian Stan
Co-Founder
Old Stove Brewing, LLC

Debbie Copple
Director
Sky Valley Chamber of Commerce & Visitor
Information Center

Sara Nelson
Co-Founder/Owner
Fremont Brewing

Larry Lober
Membership Coordinator
Greater Bellingham Running Club

Dave Werntz
Science and Conservation Director
Conservation Northwest

Mark Boyar
President
MidFORC Coalition

Arthur (R.D.) Grunbaum,
President
FOGH (Friends of Grays Harbor)

Sam Merrill
Conservation Committee Chair
Black Hills Audubon Society
Anna Wille
Co-founder
Women for Wild Lands

Jack Guinn
Owner
Hellbent Brewing Company

Inessa Pearce
President
Skykomish Valley Environmental & Economic
Alliance

Josh Laughlin
Executive Director
Cascadia Wildlands

Wendy McDermott
Director, Rivers of Puget Sound & Columbia
Basin
American Rivers

Jeremy Lucas
Conservation Chair
Eastside Audubon

Peter Bahls
Executive Director
Northwest Watershed Institute

Shannon Wright
Executive Director
RE Sources

Michael Davis
Mount Baker Club
Bellingham, WA

Lara Zahaba
Co-Owner | Marketing & Communications
Stoup Brewing

John McGlenn
President
Washington Wildlife Federation

Mark Taylor
President
Three Rivers Chapter of Trout Unlimited

Larry Franks
Board Vice President
Friends of the Issaquah Salmon Hatchery

Mari and Will Kemper
Owners
Chuckanut Brewery

Jerry White, Jr.
Executive Director,
Spokane Riverkeeper

Janet Strong
President
Grays Harbor Audubon Society

Johnny Boitano
Co-Owner/Guide
Troutwater Fly Shop and Guide Service

Joseph Bogaard
Executive Director
Save Our Wild Salmon Coalition

Lance Reif
Owner
Wildwater River Guides

Timothy Coleman
Executive Director
Kettle Range Conservation Group

Susan Jane M. Brown
Staff Attorney
Western Environmental Law Center

Greg Haller
Conservation Director
Pacific Rivers

Timothy Manns
Conservation Chair
Skagit Audubon Society

Phil Fenner
President
North Cascades Conservation Council

Gabe Epperson
Executive Director
Whatcom Land Trust

Cecilia Vollert
Brand Manager
Miir

Art Wolfe
Conservation Photographer
Art Wolfe, Inc.

Lindsay Frickle
Executive Director
Issaquah Alps Trails Club

Matt Moore
President
Northwest Fly Anglers

Paul Satzinger
Operations Manager
NOLS Pacific Northwest

Megan Birzell
Washington State Director
The Wilderness Society

Jasmine Minbashian
Executive Director
Methow Valley Citizens Council

LeeAnne Beres
Executive Director
Earth Ministry/Washington Interfaith Power &
Light