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HOUSE BILL 1987

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives R. King, Wilson, Ballard, Sheldon, Morris, Paris, McLean, Winsley, Brough, Zellinsky, Horn, Cooper, Forner, Rayburn, H. Myers, Nelson, Chandler, P. Johnson, Casada and Orr.

Read first time February 18, 1991. Referred to Committee on Fisheries & Wildlife.

1            AN ACT Relating to the payback of sport caught salmon to  
2 recreational fishers; adding new sections to chapter 75.08 RCW; and  
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.**            The legislature finds that  
6 overestimation by the department of fisheries of salmon catch by  
7 recreational fishers occurred during the last ten-year period,  
8 resulting in reduced opportunity for recreational fishers, as  
9 recreational fishing restrictions were derived from faulty data on  
10 recreational salmon catch. The error was in favor of treaty fishers.  
11 The legislature further finds that as the department of fisheries "pays  
12 back" to nontreaty fishers their historic fair share of salmon, it is  
13 in the public interest to ensure that the payback accrues to the  
14 recreational fisher. The legislature declares that allocation of  
15 salmon between recreational and nontreaty commercial fishers is the

1 only way to truly achieve equity between these two resource user  
2 groups.

3 NEW SECTION. **Sec. 2.** The director of the department of  
4 fisheries shall develop and implement a salmon payback plan by January  
5 1, 1992, that accomplishes the following:

6 (1) Calculates overestimates of historic salmon harvest by  
7 recreational fishers by catch management area and by river, and  
8 accordingly apportions payback of salmon to recreational fishers by  
9 catch management area and by river;

10 (2) Estimates the total number of salmon to be paid back using  
11 1981-1990 overestimates of sport catch from catch management areas six  
12 through thirteen, as designated by the department of fisheries,  
13 including overestimates for marine catch, freshwater catch, and hooking  
14 mortality;

15 (3) Ensures that payback benefits accrue solely to recreational  
16 fishers by removing all time, place, and manner restrictions that  
17 affect recreational fishers' ability to catch biting chinook and coho  
18 salmon and by further restricting time, place, and manner of fishing  
19 for nontreaty commercial fishers; and

20 (4) Accomplishes the payback by January 1, 2002.

21 NEW SECTION. **Sec. 3.** The director shall make available  
22 accurate annual sport catch reports to the legislature and to  
23 recreational fishers by March 1st of each year, beginning in 1993.

24 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act are each  
25 added to chapter 75.08 RCW.