

HOUSE BILL REPORT

HB 1148

As Reported by House Committee On:

Agriculture & Natural Resources
General Government Appropriations & Oversight

Title: An act relating to the establishment of a license limitation program for the harvest and delivery of spot shrimp originating from coastal or offshore waters into the state.

Brief Description: Concerning the establishment of a license limitation program for the harvest and delivery of spot shrimp originating from coastal or offshore waters into the state.

Sponsors: Representatives Blake and Kretz.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/26/11, 2/2/11, 2/15/11 [DPS];
General Government Appropriations & Oversight: 2/18/11 [DPS(AGNR)].

Brief Summary of Substitute Bill

- Creates a new limited-entry commercial fishery license that allows for the harvest of spot shrimp.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Blake, Chair; Stanford, Vice Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Dunshee, Hinkle, Kretz, Lytton, Orcutt, Pettigrew, Rolfes and Van De Wege.

Staff: Jason Callahan (786-7117).

Background:

The Washington Department of Fish and Wildlife (WDFW) is authorized to conduct experimental or trial emerging commercial fisheries. An emerging commercial fishery allows for the commercial taking of a newly classified fish, a formally classified fish with a new gear type, or a formally classified fish in a new geographic area. Trial emerging

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fisheries allow for an unlimited number of participants, and experimental emerging fisheries allow the WDFW to limit the number of authorized participants. Fisheries with a limited number of allowable participants are called limited-entry fisheries.

An emerging fishery was created for coastal spot shrimp in 1999. The Director of the WDFW (Director) was authorized to issue a total of 15 experimental permits for an annual fishery that is open March 15 through September 15. During the annual time window, fishery participants are permitted to harvest up to a total of 200,000 pounds of spot shrimp in combined catch using a maximum of 500 shrimp pots per participant. Experimental fishery participants are prohibited from an incidental catch of any salmon, bottomfish species, or more than 50 pounds of other shrimp species. Octopus and squid incidental catch are permissible.

Spot shrimp (also known as *Pandalus platyceros*) is the largest species of shrimp found on the west coast of North America and can be found in subtidal rocky and sandy habitats from San Diego, California to waters off of Unalaska Island, Alaska. Spot shrimp are reddish with longitudinal white stripes on the carapace and a distinctive white spot on the sides of the first and fifth abdominal segments.

Summary of Substitute Bill:

A new limited-entry commercial fishery license is created. This new license, the Washington-coastal spot shrimp pot fishery license (spot shrimp license), allows the holder to use spot shrimp pot gear to fish for spot shrimp, possess spot shrimp, and arrive at port with spot shrimp. The annual fee for the new license is \$185 for residents and \$295 for non-residents. Each spot shrimp license holder must designate a corresponding vessel meeting designated size requirements that is owned or operated by the license holder to use in the fishery.

The spot shrimp license is a limited-entry license that must be renewed prior to the end of each calendar year to remain active. Only participants in the 2010 coastal spot shrimp experimental emerging commercial fishery, and transferees from a 2010 fishery participant, may purchase an initial spot shrimp license. Initial spot shrimp license holders are eligible to transfer their license beginning in the year 2012.

Although the initial offerings of spot shrimp licenses is limited to participants in the 2010 emerging fishery, the Director may extend offers to additional participants beginning in 2013. Participant expansion may only occur after taking into consideration the population status of the resource, the market for spot shrimp, and the number of harvesters actively engaged in state and tribal spot shrimp fisheries. However, the total number of spot shrimp licenses offered by the WDFW may not exceed eight.

Possession of a spot shrimp license does not confer any right of compensation should the fishery be closed by the Legislature. License possession also does not guarantee that the Fish and Wildlife Commission (Commission) will open a spot shrimp fishery in any given year.

The WDFW must present a report to the Legislature in 2016 regarding the spot shrimp fishery. The report must include any recommendations to change the fishery and the impacts of removing spot shrimp from the marine ecosystem.

Substitute Bill Compared to Original Bill:

The substitute bill: (1) clarifies that the spot shrimp license does not entitle the holder to any compensation if the Legislature revokes the license program or prohibit the Commission from closing, or refusing to open, a harvest season for spot shrimp; and (2) requires a one-time report to the Legislature in 2016 outlining any recommended changes to the spot shrimp fishery.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The federal fishery management plan does not include spot shrimp so management defaults to the state. This fishery no longer needs to be considered an emerging fishery. It has been closely monitored and has proved to be economically viable. Only Washington fishers are affected and the commercial fishery has no impact on the recreational fishery.

The fishing fleet has invested a significant amount of money into the spot shrimp fishery and need certainty in the fishery to justify further investment. The participants have been diligent over the past 10 years to work with the WDFW to ensure the sustainability of the fishery. The participants successfully self-regulate themselves and have, over the time of the emerging fishery, agreed to limit the time when fishing can occur to avoid harvesting females while they are carrying eggs.

(Opposed) None.

Persons Testifying: John Simons; Jerry Tilley; and Craig Burley and Lorna Wargo, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS & OVERSIGHT

Majority Report: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives

Hudgins, Chair; Miloscia, Vice Chair; Taylor, Assistant Ranking Minority Member; Blake, Fitzgibbon, Ladenburg, Moscoso, Pedersen, Van De Wege and Wilcox.

Minority Report: Do not pass. Signed by 1 member: Representative McCune, Ranking Minority Member.

Staff: Owen Rowe (786-7391).

Summary of Recommendation of Committee On General Government Appropriations & Oversight Compared to Recommendation of Committee On Agriculture & Natural Resources:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The Washington Department of Fish and Wildlife (WDFW) has worked with industry members who are supportive of this bill. There are no fiscal impacts to the WDFW.

(Opposed) None.

Persons Testifying: Craig Burley, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.