

# HOUSE BILL REPORT

## HB 2250

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**As Reported by House Committee On:**  
Rural Development, Agriculture, & Natural Resources

**Title:** An act relating to coastal crab derelict gear recovery.

**Brief Description:** Concerning coastal crab derelict gear recovery.

**Sponsors:** Representatives Blake, Fitzgibbon, Lekanoff and Tharinger.

**Brief History:**

**Committee Activity:**

Rural Development, Agriculture, & Natural Resources: 1/17/20, 1/24/20 [DPS].

**Brief Summary of Substitute Bill**

- Authorizes the Department of Fish and Wildlife, in cooperation with current commercial coastal Dungeness crab license holders, to expand the Coastal Commercial Dungeness Crab Pot Removal Program during the fishery that occurs from May 1 through September 15.

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### HOUSE COMMITTEE ON RURAL DEVELOPMENT, AGRICULTURE, & NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Blake, Chair; Shewmake, Vice Chair; Chandler, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Chapman, Dye, Fitzgibbon, Lekanoff, Orcutt, Ramos, Schmick, Springer and Walsh.

**Staff:** Rebecca Lewis (786-7339).

**Background:**

In order to engage in commercial fishing in Washington, an individual is required to acquire the appropriate commercial fishing license or permit from the Department of Fish and Wildlife (WDFW). Fishing seasons are set by the WDFW through rulemaking, and the coastal commercial Dungeness crab season typically begins in December or January.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The WDFW administers the Coastal Commercial Dungeness Crab Pot Removal Program (Program). Under the Program, the WDFW issues a crab pot removal permit (permit) that allows participants in the coastal commercial Dungeness crab fishery to remove crab pots from coastal marine waters beginning 15 days after the close of the primary harvest season, regardless of whether the crab pot was originally set by the participant or not. In cooperation with individuals holding a current commercial Dungeness crab-coastal license, the WDFW may expand the Program to areas closed to commercial Dungeness crab harvest prior to the end of the primary harvest season.

The WDFW may exempt certain crab pots from the Program, restrict crab pot removal activities to specific geographic areas, and adopt rules related to the Program. Unlawful use of a crab pot removal permit is a misdemeanor. Individuals participating in the Program are exempt from applicable lost and found property laws.

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**Summary of Substitute Bill:**

In cooperation with current commercial coastal Dungeness crab license holders, the Department of Fish and Wildlife may expand the Coastal Commercial Dungeness Crab Pot Removal Program to areas closed to commercial Dungeness crab harvest during the fishery that occurs from May 1 through September 15, in addition to the primary season.

**Substitute Bill Compared to Original Bill:**

The reference to the May 1 through September 15 Dungeness crab fishery as a "summer fishery" is removed.

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**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) This bill was brought forward by the industry, and the policy will help conserve other species. The Coastal Dungeness Crab Fishery is the most valuable single-species fishery on the west coast. This industry has gotten more efficient. Eighty percent of the limit is being caught in the first three weeks of the season, and whales begin to appear in April and May.

Expanding opportunities to collect derelict gear during the May through September season is a much-needed change. Sometimes gear gets stuck in place, or is moved by currents and the weather. There is a new sense of urgency to make sure gear is removed to avoid potential

whale entanglements. While gray whale and humpback whale entanglements are rare, there have been more than usual recently, and more whales passing through areas near where gear may be. Currently, there is a lawsuit in California over whale entanglements. This bill is about getting in front of the issue. The Department of Fish and Wildlife is seeking an incidental take permit from the National Oceanic and Atmospheric Administration; this policy will show that the state is making efforts to reduce entanglements.

(Opposed) None.

**Persons Testifying:** Representative Blake, prime sponsor; Tom Echols and Dale Beasley, Coalition of Coastal Fisheries; Steve Gray; and Tom McBride, Department of Fish and Wildlife.

**Persons Signed In To Testify But Not Testifying:** None.