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**SUBSTITUTE HOUSE BILL 1821**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** House Committee on Natural Resources (originally sponsored by Representatives Buck, Doumit, Sump, Hatfield and Kessler)

READ FIRST TIME 02/27/01.

1       AN ACT Relating to the consideration of extenuating  
2 circumstances for gear and effort reduction for the coastal  
3 Dungeness crab resource plan provisions; amending RCW 77.70.400;  
4 and creating a new section.

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

6       **Sec. 1.** RCW 77.70.400 and 1998 c 245 s 154 are each amended to  
7 read as follows:

8       The department, with input from Dungeness crab--coastal fishery  
9 licensees and processors, shall prepare a resource plan to achieve  
10 even-flow harvesting and long-term stability of the coastal  
11 Dungeness crab resource. The plan may include pot limits, further  
12 reduction in the number of vessels, individual quotas, trip  
13 limits, area quotas, or other measures as determined by the  
14 department. The provisions of such a resource plan that are  
15 designed to effect a gear reduction or effort reduction based upon  
16 historical landing criteria are subject to the provisions of RCW  
17 77.70.390 with respect to the consideration of extenuating  
18 circumstances.

1        NEW SECTION.    **Sec. 2.**    For the purposes of determining the number  
2 of shellfish pots assigned to a Washington Dungeness crab-coastal  
3 fishery license, if the Dungeness crab-coastal fishery license is  
4 held by a person whose vessel was lost due to sinking in any one  
5 of the three qualifying seasons, then the department of fish and  
6 wildlife shall go back to February 1996, and use this month's  
7 poundage to determine the number of pots granted to the license  
8 holder as an exception to WAC 220-52-040(14).    A license holder of a  
9 Washington Dungeness crab-coastal fishery license must notify the  
10 department of his or her eligibility under this section by  
11 September 30, 2001.

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