
HOUSE BILL 1148

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Blake and Kretz

Read first time 01/13/11. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to the establishment of a license limitation
2 program for the harvest and delivery of spot shrimp originating from
3 coastal or offshore waters into the state; amending RCW 77.65.210,
4 77.65.220, and 77.70.005; adding a new section to chapter 77.65 RCW;
5 adding a new section to chapter 77.70 RCW; and prescribing penalties.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.65 RCW
8 to read as follows:

9 (1) A Washington-coastal spot shrimp pot fishery license is
10 required to:

11 (a) Use spot shrimp pot gear to fish for spot shrimp;

12 (b) Possess spot shrimp; and

13 (c) Deliver spot shrimp.

14 (2) Washington-coastal spot shrimp pot fishery licenses require
15 vessel designation under RCW 77.65.100.

16 (3) A violation of this section is punishable under RCW 77.15.500.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.70 RCW
18 to read as follows:

1 (1) A Washington-coastal spot shrimp pot fishery license:

2 (a) May only be issued to a natural person who held a coastal spot
3 shrimp experimental emerging commercial fishery license and coastal
4 spot shrimp fishery permit in 2010 or had the license transferred to
5 him or her, under RCW 77.65.020 and 77.65.040, by a person who held a
6 coastal spot shrimp experimental emerging commercial fishery license
7 and coastal spot shrimp fishery permit in 2010;

8 (b) Must be renewed annually by December 31st of the calendar year
9 to remain active; and

10 (c) Subject to the restrictions of subsection (7) of this section
11 and to RCW 77.65.020 and 77.65.040, is transferable to a natural person
12 beginning January 1, 2012.

13 (2) When a person fails to obtain a Washington-coastal spot shrimp
14 pot fishery license during the previous year because of a license
15 suspension, the person may qualify for a license by establishing that
16 the person held such a license during the last year in which the
17 license was not suspended.

18 (3) The annual fee for a Washington-coastal spot shrimp pot fishery
19 license is as specified in RCW 77.65.220.

20 (4) Beginning in 2013, after taking into consideration the status
21 of the coastal spot shrimp population, the market for spot shrimp, and
22 the number of active fishers, both nontreaty and treaty, the director
23 may issue a Washington-coastal spot shrimp pot fishery license to a
24 natural person if the issuance would not raise the number of active
25 spot shrimp pot fishery licenses to more than eight.

26 (5) Beginning 2012, a Washington-coastal spot shrimp pot fishery
27 license holder is prohibited from designating, on the Washington-
28 coastal spot shrimp pot fishery license:

29 (a) A vessel whose surveyed length overall is more than ten feet
30 longer than the surveyed length overall of the vessel designated on the
31 licensee's coastal spot shrimp experimental emerging commercial fishery
32 license as of March 31, 2003; and

33 (b) A vessel whose surveyed length overall exceeds ninety feet.

34 (6) In the event the Washington-coastal spot shrimp pot fishery
35 license is transferred by sale, lease, inheritance, or lottery, and
36 pursuant to subsection (4) of this section, the vessel length
37 restriction associated with that license must remain attached to the
38 license.

1 (7) A natural person may not own or hold an ownership interest in
2 more than one Washington-coastal spot shrimp pot fishery license at a
3 time.

4 (8) Only a person who owns or is designated as an operator of the
5 vessel designated on the license may hold a Washington-coastal spot
6 shrimp pot fishery license.

7 **Sec. 3.** RCW 77.65.210 and 2007 c 442 s 4 are each amended to read
8 as follows:

9 (1) Except as provided in subsection (2) of this section, a person
10 may not use a commercial fishing vessel to deliver food fish or
11 shellfish taken for commercial purposes in offshore waters to a port in
12 the state without a nonlimited entry delivery license. As used in this
13 section, "deliver" and "delivery" mean arrival at a place or port, and
14 include arrivals from offshore waters to waters within the state and
15 arrivals ashore from offshore waters. As used in this section, "food
16 fish" does not include salmon. As used in this section, "shellfish"
17 does not include ocean pink shrimp, coastal crab, coastal spot shrimp,
18 or fish or shellfish taken under an emerging commercial fisheries
19 license if taken from off-shore waters. The annual license fee for a
20 nonlimited entry delivery license is one hundred ten dollars for
21 residents and two hundred dollars for nonresidents, and an additional
22 thirty-five dollar surcharge for both residents and nonresidents to be
23 deposited in the rockfish research account created in RCW 77.12.702.

24 (2) Holders of the following licenses may deliver food fish or
25 shellfish taken in offshore waters without a nonlimited entry delivery
26 license: Salmon troll fishery licenses issued under RCW
27 77.65.160((~~τ~~)); salmon delivery licenses issued under RCW
28 77.65.170((~~τ~~)); crab pot fishery licenses issued under RCW
29 77.65.220((~~τ~~)); food fish trawl--Non-Puget Sound fishery licenses, and
30 emerging commercial fishery licenses issued under RCW 77.65.200((~~τ~~));
31 Dungeness crab--coastal fishery licenses((~~τ~~)); ocean pink shrimp
32 delivery licenses((~~τ~~)); shrimp trawl--Non-Puget Sound fishery licenses,
33 Washington coastal spot shrimp pot fishery licenses issued under
34 chapter 77.70 RCW; and emerging commercial fishery licenses issued
35 under RCW 77.65.220 (~~(may deliver food fish or shellfish taken in~~
36 ~~offshore waters without a nonlimited entry delivery license)~~).

1 (3) A nonlimited entry delivery license authorizes no taking of
 2 food fish or shellfish from state waters.

3 **Sec. 4.** RCW 77.65.220 and 2000 c 107 s 43 are each amended to read
 4 as follows:

5 (1) This section establishes commercial fishery licenses required
 6 for shellfish fisheries and the annual fees for those licenses. The
 7 director may issue a limited-entry commercial fishery license only to
 8 a person who meets the qualifications established in applicable
 9 governing sections of this title.

	Fishery (Governing section(s))	Annual Fee		Vessel Required?	Limited Entry?
		Resident	Nonresident		
12	(a) Burrowing shrimp	\$185	\$295	Yes	No
13	(b) Crab ring net-	\$130	\$185	Yes	No
14	Non-Puget Sound				
15	(c) Crab ring net-	\$130	\$185	Yes	No
16	Puget Sound				
17	(d) Dungeness crab-	\$295	\$520	Yes	Yes
18	coastal (RCW				
19	77.70.280)				
20	(e) Dungeness crab-	\$295	\$520	Yes	Yes
21	coastal, class B				
22	(RCW 77.70.280)				
23	(f) Dungeness crab-	\$130	\$185	Yes	Yes
24	Puget Sound				
25	(RCW 77.70.110)				
26	(g) Emerging	\$185	\$295	Determined	Determined
27	commercial fishery			by rule	by rule
28	(RCW 77.70.160				
29	and 77.65.400)				
29	(h) Geoduck (RCW	\$ 0	\$ 0	Yes	Yes
30	77.70.220)				
31	(i) Hardshell clam	\$530	\$985	Yes	No
32	mechanical				
33	harvester				
34	(RCW 77.65.250)				
35	(j) Oyster reserve	\$130	\$185	No	No
36	(RCW 77.65.260)				
37	(k) Razor clam	\$130	\$185	No	No
38	(l) Sea cucumber dive	\$130	\$185	Yes	Yes
39	(RCW 77.70.190)				
40	(m) Sea urchin dive	\$130	\$185	Yes	Yes

1	(RCW 77.70.150)				
2	(n) Shellfish dive	\$130	\$185	Yes	No
3	(o) Shellfish pot	\$130	\$185	Yes	No
4	(p) Shrimp pot-	\$185	\$295	Yes	Yes
5	Puget Sound				
6	(RCW 77.70.410)				
7	(q) Shrimp trawl-	\$240	\$405	Yes	No
8	Non-Puget Sound				
9	(r) Shrimp trawl-	\$185	\$295	Yes	Yes
10	Puget Sound				
11	(RCW 77.70.420)				
12	(s) <u>Spot shrimp-coastal</u>	<u>\$185</u>	<u>\$295</u>	<u>Yes</u>	<u>Yes</u>
13	<u>(t) Squid</u>	\$185	\$295	Yes	No

14 (2) The director may by rule determine the species of shellfish
15 that may be taken with the commercial fishery licenses established in
16 this section, the gear that may be used with the licenses, and the
17 areas or waters in which the licenses may be used. Where a fishery
18 license has been established for a particular species, gear,
19 geographical area, or combination thereof, a more general fishery
20 license may not be used to take shellfish in that fishery.

21 **Sec. 5.** RCW 77.70.005 and 2009 c 331 s 1 are each amended to read
22 as follows:

23 The definitions in this section apply throughout this chapter and
24 related rules adopted by the department unless the context clearly
25 requires otherwise.

26 (1) "Deliver" or "delivery" means arrival at a place or port, and
27 includes arrivals from offshore waters to waters within the state and
28 arrivals ashore from offshore waters.

29 (2) "Pacific sardine" and "pilchard" means the species *Sardinops*
30 *sagax*.

31 (3) "Spot shrimp" means the species *Pandalus platyceros*.

--- END ---