

SENATE BILL REPORT

SB 5692

As Reported by Senate Committee On:
Agriculture, Water, Natural Resources & Parks, April 23, 2019

Title: An act relating to recreational fishing and hunting licenses.

Brief Description: Concerning recreational fishing and hunting licenses. [**Revised for 1st Substitute:** Concerning fishing and hunting.]

Sponsors: Senators Rolfes, McCoy, Takko and Wellman; by request of Department of Fish and Wildlife.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 2/14/19, 4/23/19 [DPS-WM, DNP].

Brief Summary of First Substitute Bill

- Increases certain recreational hunting and fishing license fees by 15 percent, with fishing license fee increases expiring on July 1, 2025.
- Extends the expiration date for the Columbia River salmon and steelhead endorsement from June 30, 2019 to June 30, 2021.
- Establishes an observer program to monitor at least ten percent of the Columbia River salmon and steelhead gill net catch.
- Restricts Columbia River mainstem salmon and steelhead gill net fisheries to six days per year, expiring on July 1, 2025.
- Authorizes the use of pound nets to harvest salmon on the Columbia River and sets license fees.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 5692 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Honeyford and Rolfes.

Minority Report: Do not pass.

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.

Signed by Senators Warnick, Ranking Member; McCoy and Short.

Staff: Jeff Olsen (786-7428)

Background: The Department of Fish and Wildlife (DFW) is responsible for managing the state's fish and wildlife resources, and establishes basic rules and regulations governing the time, place, manner, and methods used to harvest fish and wildlife. As a part of this responsibility, DFW issues licenses, tags, endorsements, and permits for hunting and fishing in Washington. Most revenue from licenses, tags, and endorsements is directed either to the Wildlife Account or one of several enhancement accounts.

DFW must conserve fish and wildlife resources in a manner seeking to maintain the economic well-being and stability of the state's fishery resources. DFW must promote orderly fisheries, while enhancing and improving the state's recreational and commercial fishing. Commercial fishers must obtain applicable licenses from WDFW. An annual resident salmon gill net license, reef net, or purse seine license is \$380, a non resident license is \$765, with a \$100 surcharge and \$105 application fee.

Categories of fishing licenses include freshwater licenses, saltwater licenses, and combination licenses. There are several endorsements, stamps, permits, or other surcharges required for particular activities in addition to a fishing license. Fee amounts for fishing licenses, stamps, permits, and endorsements are set in statute. A catch record card is required to fish for salmon, steelhead, sturgeon, or Puget Sound Dungeness crab. There is no charge for the first catch record card, and subsequent catch record cards are \$11 each. Individuals age fifteen and older must purchase a fishing license. Youth under age fifteen are not required to purchase fishing licenses; however, to fish for salmon, steelhead, sturgeon, or Puget Sound Dungeness crab, youth must hold a catch record card and, if applicable, a Puget Sound Dungeness crab endorsement. The catch record card and crab endorsement are free of charge for youth under age fifteen.

The Columbia River Salmon and Steelhead Endorsement Program (Endorsement Program) was created in 2009 and revenue from purchases funds activities related to continuing and expanding selective fisheries in the Columbia River Basin. Individuals age fifteen and over must purchase an endorsement in order to fish for salmon and steelhead in the Columbia River or its tributaries. The endorsement costs \$7.50 and the Endorsement Program expires on June 30, 2019.

There are separate hunting licenses and endorsements for big game, small game, and certain other species for both general season hunting and special hunts. There are separate rates for state residents, nonresidents, and youth under age sixteen, and those amounts are set in statute.

A hunter or fisher that fails to report their harvest is subject to an administrative penalty of no more than \$10. The penalty must be paid before a new hunting license, catch record card, or Dungeness Crab Endorsement may be issued.

Summary of Bill (First Substitute): Recreational hunting and fishing license fees are increased by 15 percent, with exceptions to limit the increase for certain packages of licenses.

For example, the following popular resident hunting and fishing licenses will be modified as follows:

License	Current Fee	Change	New Fee
big game deer/elk/bear/cougar	\$85	\$12.75	\$97.75
big game deer/elk	\$75	\$11.25	\$86.25
big game deer	\$39	\$5.85	\$44.85
small game	\$35	\$5.25	\$40.25
turkey tag	\$14	\$2.10	\$16.10
combination fishing	\$45.50	\$6.36	\$51.86
freshwater	\$25	\$3.75	\$28.75
saltwater	\$25.50	\$3.83	\$29.33
1-day combo fishing	\$16.50	\$2.48	\$18.98
Columbia River salmon/steelhead	\$7.50	\$1.13	\$8.63

These amounts do not include dealer or transaction fees. Until June 30, 2025, within the funds generated by the recreational hunting and fishing license fees, the DFW may only fund activities that directly maintain or enhance current recreational fishing and hunting opportunities. Increases to fishing license fees expire on July 1, 2025, with those fees returning to amounts in place prior to the fifteen percent increase.

A new hunt Washington license for residents containing a combination for deer, elk, bear, cougar, a small game license, a migratory bird permit, a migratory bird authorization, and two turkey tags is created and the fee is \$172.64. For small game, a new hunt Washington bird license for residents containing a combination for small game, a migratory bird permit, a migratory bird authorization, and two turkey tags is created and the fee is \$96.25. For fishing, a new fish Washington license for residents containing a combination fishing license, a two-pole endorsement, a Dungeness crab endorsement, and a Columbia River salmon and steelhead endorsement is created and the fee is \$72.56. A new sportsperson license for residents containing both the hunt and fish Washington licenses is created and the fee is \$245.20.

For fishing licenses, the definition of youth is changed from under age fifteen to under age sixteen. Modifications are made to the harvest reporting requirements to ensure that those failing to report are subject to the administrative penalty for not reporting. The Fish and Wildlife Commission (Commission) may adopt rules to offer a one-time discount of up to \$20 on a first-time resident hunting license for those who have completed the hunter education program. In addition to a small game hunting license, a supplemental migratory bird permit is required to hunt for band-tailed pigeon, brant, sea duck, snow goose, and southwest Canada goose.

Enhancement programs and a portion of the Dungeness crab endorsement must receive the following percentages, rather than specific dollar amounts:

- 4 percent of the revenue from each small game hunting license fee is deposited in the Eastern Washington pheasant enhancement account;
- 5 percent of all freshwater and combination fishing licenses will be deposited into the warm water game fish account;

- 11 percent of all saltwater and combination fishing licenses will be deposited into the recreational fisheries enhancement account;
- 2 percent of all saltwater, freshwater, and combination fishing licenses will be deposited into the regional fisheries enhancement group account;
- 1 percent of all saltwater and combination fishing licenses will be deposited into the rockfish research account; and
- 12 percent of the revenue from each Dungeness crab endorsement is dedicated to the removal and disposal of derelict shellfish gear.

The Commission may adopt rules to offer license packages and discounted promotional opportunities. The DFW director may offer temporary discounted promotional pricing to increase participation in fishing, hunting, or wildlife viewing.

The expiration date for the Columbia River salmon and steelhead endorsement program is extended from June 30, 2019 to June 30, 2021. In addition to facilitating selective fishing opportunities on the Columbia River, under the Endorsement Program the DFW may produce hatchery steelhead and must develop an observer program to monitor at least ten percent of the Washington Columbia River nontribal gill net salmon catch. The DFW must report findings and recommendations to the appropriate committees of the legislature by December 31, 2019, on the results of the monitoring program and any modifications necessary to ensure the monitoring program is achieving statistically significant findings regarding the harvest of salmon and steelhead.

The DFW must implement fishery reforms developed by Washington and Oregon to improve the selectivity and sustainability of nontribal Columbia River recreational and commercial fisheries, prioritize mainstem recreational fisheries, and transition nontribal commercial gill net fisheries to enhanced off-channel fishing areas.

Effective July 1, 2019, until June 30, 2025, the DFW may not authorize mainstem Columbia River nontribal gill net fisheries for salmon and steelhead below the Bonneville dam that exceed six fishing days per year.

The DFW may authorize trial or experimental fisheries in the Columbia River for scientific investigations for the mark-selective harvest of hatchery-reared salmon to reduce harvest-related mortalities to federal endangered species act-listed salmonids, increase escapement of wild salmonids, and help maintain and enhance hatchery production levels by harvesting surplus hatchery-reared salmon. The DFW must establish by rule permit fees for the trial or experimental fisheries.

A commercial salmon fishery license for pound nets on the Columbia River is created. The annual license fee for a resident is set at \$380, a nonresident license fee is \$765, plus a \$100 surcharge and a \$105 application fee. The Commission must establish by rule the requirements, eligibility, and the number of licenses that may be issued for the salmon pound net Columbia River license.

EFFECT OF CHANGES MADE BY AGRICULTURE, WATER, NATURAL RESOURCES & PARKS COMMITTEE (First Substitute):

- Removes the ability for the Fish and Wildlife Commission to establish surcharges on fees to fund inflationary and other increased costs.
- Expires fishing fee increases on July 1, 2025.
- Moves the expiration of the Columbia River Recreational Salmon and Steelhead Endorsement (CRSSE) program up two years to June 30, 2021 from June 30, 2023.
- Adds that the CRSSE must supplement resources available to the Department of Fish and Wildlife (DFW) to implement an observer program and for steelhead hatchery production.
- Specifies Columbia River fishery reforms including improving the selectivity of recreational and commercial fisheries, prioritizing main stem recreational fisheries, and transitioning gill net fisheries to enhanced off-channel areas.
- Restricts main stem gill net fisheries, effective July 1, 2019, to not exceed six days per year for salmon and steelhead below the Bonneville dam.
- Directs the DFW to establish an observer program to monitor at least 10 % of the nontribal gill net salmon and steelhead catch on the Columbia River.
- Directs the DFW to fund activities that maintain or enhance current recreational and fishing activities with fees from recreational fishing and hunting, and expires the requirement on July 1, 2025.
- Authorizes the DFW to approve trial fisheries for the use of alternative gear for the mark-selective harvest of hatchery-reared salmon and to establish permit fees by rule for alternative gear fisheries.
- Authorizes the use of pound nets to harvest salmon on the Columbia River and sets the license fee at \$380 per year for a resident and \$765 for a nonresident.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2019, except for Section 19 of the bill.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The last general fee increase for hunting and fishing licenses was in 2011, and salaries and other costs have increased. The DFW budget has a growing structural deficit, and last year the Legislature provided \$10 million in funding and directed DFW and stakeholders to conduct an assessment. A performance assessment was conducted, a zero-based budget review, and the development of a long term funding plan. This proposal includes a 15 percent increase of all recreational hunting and fishing license fees, but creates a cap of \$7 and \$15 for certain packages. New combination licenses have been created to control costs for those who purchase a number of licenses. The bill includes an inflationary clause that allows DFW to increase prices in smaller amounts over time for legislatively approved cost increases. An increase in the youth fishing age to sixteen is to encourage more youth to enjoy fishing. There is also a provision to encourage new hunters who recently completed hunter education. A portion of the new license fees will be used to increase hunter access to private lands. The DFW budget is in trouble, and needs both more state general funding and increased license fee revenues. State

Parks and the Department of Ecology already have the ability to increase fees, and DFW should have the same authority. DFW has a smaller percent of its budget supported by fees than other states. DFW needs additional funding for crabber education to reduce the loss of crab pots. Increased fees are necessary to manage commercial and recreational fisheries and to increase hatchery production.

OTHER: DFW is a good partner in implementing projects to monitor forage fish habitat, crabber education and other important habitat projects. Sport fishers are providing more money in fees for less opportunity. DFW needs to establish meaningful fishing seasons and provide effective in-season management of fisheries. DFW should not have the ability to increase fees without legislative oversight. Increased fees needs to be linked with increased hatchery production, additional recreational fishing opportunities, and a ban on nontribal gill nets. The Columbia River enhancement program extension needs to be refocused on enhancing fisheries and Columbia River fisheries reform

Persons Testifying: PRO: Senator Christine Rolfes, Prime Sponsor; Aaron Peterson, Managing Director, Regional Fisheries Coalition; Kelly Susewind, DFW; Nate Pamplin, DFW; Jen Syrowitz, Washington Wildlife Federation; Bill Clarke, Trout Unlimited; Tom Echols, Hunters Heritage Council; Paul Clampitt, Augustine Fisheries Inc.; Jonathan Sawin, Westport Charterboat Association; Marc Bush, Northwest Guide and Angler Association.

OTHER: Lucas Hart, Northwest Straits Commission; Carl Burke, NW Sportsfishing Industry Association and NW Marine Trade Association; Scott Sigmon, Coastal Conservation Association.

Persons Signed In To Testify But Not Testifying: No one.