

SENATE BILL REPORT

SB 5592

As Reported By Senate Committee On:
Natural Resources, February 28, 1995

Title: An act relating to coastal crab fishing licenses.

Brief Description: Revising qualifications for coastal crab fishing licenses.

Sponsors: Senators Spanel and Swecker.

Brief History:

Committee Activity: Natural Resources: 2/21/95, 2/28/95 [DPS].

SENATE COMMITTEE ON NATURAL RESOURCES

Majority Report: That Substitute Senate Bill No. 5592 be substituted therefor, and the substitute bill do pass.

Signed by Senators Drew, Chair; Spanel, Vice Chair; A. Anderson, Hargrove, Haugen, Morton, Oke, Owen, Strannigan and Swecker.

Staff: Erika Lim (786-7488)

Background: As of January 1, 1995, persons fishing for coastal crab in Washington State waters must have either a coastal crab or coastal crab class B fishery license. To qualify for a coastal crab license, a person must have made certain minimum landings into Washington during at least two of four designated qualifying seasons, and held one of an enumerated list of Washington licenses during specified years. Alternatively, a person may qualify by demonstrating a minimum number of landings during specified periods. A coastal crab fishery license is transferable and is subject to a transfer fee. A person who does not qualify for a coastal crab fishery license may qualify for a coastal crab class B license if that person can prove certain minimum landings into Washington during at least one of the designated qualifying seasons, and held one of an enumerated list of Washington fishery licenses every year since the year of the qualifying landing. Coastal crab class B licenses are not transferable and cease to exist after December 31, 1999. Both types of coastal crab licenses have hull length restrictions.

As of January 1, 1995, coastal crab taken in offshore waters (i.e., waters beyond the three-mile territorial waters) may be landed into Washington only if: (1) they were caught by persons holding either type of coastal crab fishery license; (2) they were caught by persons holding Oregon or California commercial crab fishing licenses, were caught during certain times of the year, and were caught using specified gear; or (3) the director determines that landings into Washington by non-possessors of either type of coastal crab license is in the best interest of the coastal crab processing industry and certain conditions are met.

As of January 1, 1995, an Oregon resident is eligible for coastal crab license if: the person made certain minimum landings into Oregon during at least two of four designated qualifying

seasons; the person held a nonresident non-Puget Sound crab pot license during certain years; and the state of Oregon grants reciprocal access to its territorial waters to Washington crab fishers.

As of January 1, 1995, a person who holds a coastal crab license may not land into Washington crab taken from the exclusive economic zones of Oregon or California unless that person also holds the license or permit required to land those crab into the state from whose exclusive economic zone the crab were taken.

A review board hears cases involving decisions made by the department regarding either type of coastal crab license. The board has three members: a person representing commercial crab processors, a person who holds a coastal crab license, and a citizen of a coastal community.

Summary of Substitute Bill: A person qualifies for a coastal crab license if that person designated a qualifying vessel for any period of time after December 31, 1993, with a license that meets certain criteria.

Substitute Bill Compared to Original Bill: Only the designation of a vessel language is retained, which will allow between 20 to 40 more persons into the fishery. All other provisions are stricken, including the additional methods of qualifying for a class A license; the changing of the offshore crab landing restrictions; the changing of the hull length restrictions; the removal of the provision permitting Oregon residents to obtain a Washington license; the removal of the limitation on taking crab in the exclusive economic zone; and the elimination of the designation of the three members of the appeal board.

Appropriation: None.

Fiscal Note: Requested on February 15, 1995.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This will allow entry of persons who were intended to be allowed into the fishery. It will also provide a longer season for land-based processors and thereby create more family-wage jobs.

Testimony Against: The bill would permit too many boats into the fishery and would further deplete the resource, particularly in light of the recent federal court decision granting 50 percent of the state shellfish harvest to certain Indian tribes. Entry into the coastal crab fishery must be controlled so that the industry remains economically viable.

Testified: Ed Manary, DFW; Bill Anderson, DFW (concerns); PRO: Mike Brown; Tim Horgan, Thane Tienson; Rick Gilman; Linda Larson; Ron Baynard; Ivar Jones; Russell Smotherman; Dick Henry; CON: Ernie Summers; Larry Thevik; David Wolfenberger; Dick Sheldon; Tom Kelley.