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ENGROSSED SUBSTITUTE SENATE BILL 5592

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State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Natural Resources (originally sponsored by Senators Spanel and Swecker)

Read first time 03/01/95.

1 AN ACT Relating to coastal crab fishing licenses; and amending RCW  
2 75.30.350.

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

4 **Sec. 1.** RCW 75.30.350 and 1994 c 260 s 2 are each amended to read  
5 as follows:

6 (1) Effective January 1, 1995, it is unlawful to fish for coastal  
7 crab in Washington state waters without a Dungeness crab~~coastal~~ or a  
8 Dungeness crab~~coastal~~ class B fishery license. Gear used must consist  
9 of one buoy attached to each crab pot. Each crab pot must be fished  
10 individually.

11 (2) A Dungeness crab~~coastal~~ fishery license is transferable. Such  
12 a license shall only be issued to a person who proved active historical  
13 participation in the coastal crab fishery by having designated, after  
14 December 31, 1993, a vessel or a replacement vessel on the qualifying  
15 license that singly or in combination meets the following criteria:

16 (a) Made a minimum of eight coastal crab landings totaling a  
17 minimum of five thousand pounds per season in at least two of the four  
18 qualifying seasons identified in subsection (4) of this section, as  
19 documented by valid Washington state shellfish receiving tickets; and

1 showed historical and continuous participation in the coastal crab  
2 fishery by having held one of the following licenses or their  
3 equivalents each calendar year beginning 1990 through 1993, and was  
4 designated on the qualifying license of the person who held one of the  
5 following licenses in 1994:

6 (i) Crab pot«Non-Puget Sound license, issued under RCW  
7 75.28.130(1)(b);

8 (ii) Nonsalmon delivery license, issued under RCW 75.28.125;

9 (iii) Salmon troll license, issued under RCW 75.28.110;

10 (iv) Salmon delivery license, issued under RCW 75.28.113;

11 (v) Food fish trawl license, issued under RCW 75.28.120; or

12 (vi) Shrimp trawl license, issued under RCW 75.28.130; or

13 (b) Made a minimum of four landings of coastal crab totaling two  
14 thousand pounds during the period from December 1, 1991, to March 20,  
15 1992, and made a minimum of eight crab landings totaling a minimum of  
16 five thousand pounds of coastal crab during each of the following  
17 periods: December 1, 1991, to September 15, 1992; December 1, 1992, to  
18 September 15, 1993; and December 1, 1993, to September 15, 1994. For  
19 landings made after December 31, 1993, the vessel shall have been  
20 designated on the qualifying license of the person making the landings.

21 (3) A Dungeness crab«coastal class B fishery license is not  
22 transferable. Such a license shall be issued to persons who do not  
23 meet the qualification criteria for a Dungeness crab«coastal fishery  
24 license, if the person has designated on a qualifying license after  
25 December 31, 1993, a vessel or replacement vessel that, singly or in  
26 combination, made a minimum of four landings totaling a minimum of two  
27 thousand pounds of coastal crab, documented by valid Washington state  
28 shellfish receiving tickets, during at least one of the four qualifying  
29 seasons, and if the person has participated continuously in the coastal  
30 crab fishery by having held or by having owned a vessel that held one  
31 or more of the licenses listed in subsection (2) of this section in  
32 each calendar year subsequent to the qualifying season in which  
33 qualifying landings were made through 1994. Dungeness crab«coastal  
34 class B fishery licenses cease to exist after December 31, 1999, and  
35 the continuing license provisions of RCW 34.05.422(3) are not  
36 applicable.

37 (4) The four qualifying seasons for purposes of this section are:

38 (a) December 1, 1988, through September 15, 1989;

39 (b) December 1, 1989, through September 15, 1990;

1 (c) December 1, 1990, through September 15, 1991; and

2 (d) December 1, 1991, through September 15, 1992.

3 (5) For purposes of this section and RCW 75.30.420, "coastal crab"  
4 means Dungeness crab (cancer magister) taken in all Washington  
5 territorial and offshore waters south of the United States-Canada  
6 boundary and west of the Bonilla-Tatoosh line (a line from the western  
7 end of Cape Flattery to Tatoosh Island lighthouse, then to the buoy  
8 adjacent to Duntz Rock, then in a straight line to Bonilla Point of  
9 Vancouver island), Grays Harbor, Willapa Bay, and the Columbia river.

10 (6) For purposes of this section, "replacement vessel" means a  
11 vessel used in the coastal crab fishery in 1994, and that replaces a  
12 vessel used in the coastal crab fishery during any period from 1988  
13 through 1993, and which vessel's licensing and catch history, together  
14 with the licensing and catch history of the vessel it replaces,  
15 qualifies a single applicant for a Dungeness crab coastal or Dungeness  
16 crab coastal class B fishery license. A Dungeness crab coastal or  
17 Dungeness crab coastal class B fishery license may only be issued to a  
18 person who designated a vessel in the 1994 coastal crab fishery and who  
19 designated the same vessel in 1995.

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