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SENATE BILL 5302

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State of Washington

65th Legislature

2017 Regular Session

By Senators Van De Wege, King, and Ranker

Read first time 01/19/17. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to establishing pilot projects for destination  
2 steelhead fisheries on the Olympic Peninsula and Klickitat river;  
3 amending RCW 77.65.500; adding a new chapter to Title 77 RCW; and  
4 providing expiration dates.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that some areas  
7 of Washington state are destination locations for recreational  
8 steelhead fishing that are supported wholly or in large part by wild  
9 steelhead populations. In these areas, recreational fishing is  
10 important to local anglers, guides, local businesses, and people from  
11 around the state and country who seek out a unique high quality  
12 recreational steelhead fishing experience. The popularity of these  
13 fisheries continues to grow, increasing the angling pressure on wild  
14 steelhead and diminishing the recreational fishing experience. It is  
15 the intent of the legislature to establish two pilot projects for two  
16 such areas, the Olympic Peninsula and Klickitat river, modeled on  
17 successful recreational steelhead management programs in other states  
18 and countries. Under the two pilot projects, these areas will be  
19 recognized as destination steelhead fisheries and managed to sustain  
20 healthy wild steelhead populations and high quality recreational  
21 fishing opportunity.

1 (2) This section expires June 30, 2022.

2 NEW SECTION. **Sec. 2.** (1) Destination recreational steelhead  
3 fishery pilot projects are established for the Olympic Peninsula and  
4 Klickitat river. The objectives of the pilot projects are to protect  
5 the health and viability of wild steelhead while providing  
6 consistent, high quality fishing opportunity for nonguided and guided  
7 recreational anglers by ensuring that the level of guided angling  
8 does not adversely impact wild steelhead populations or the  
9 recreational fishing experience. The standards for each of these  
10 pilot projects may be supplemented by the department based on input  
11 from affected stakeholders in each pilot project area, but must at  
12 least meet the minimum requirements in this chapter.

13 (2) This section expires June 30, 2022.

14 NEW SECTION. **Sec. 3.** (1) Destination steelhead fishery pilot  
15 projects are established for the Olympic Peninsula and Klickitat  
16 river through June 30, 2022. The geographic area of the Olympic  
17 Peninsula pilot project is from the Queets river to the Elwha river,  
18 inclusive of all river areas between. The provisions of the Olympic  
19 Peninsula destination fishery pilot project apply to steelhead  
20 fishing from December 1st to April 30th. The geographic area of the  
21 Klickitat river pilot project is the entirety of the river. The  
22 provisions of the Klickitat river destination fishery pilot project  
23 apply to steelhead fishing from September 15th to November 30th.

24 (2) During the pilot project period, any recreational fishing  
25 guide working within the pilot project area and season must either  
26 purchase a destination fishery guide tag specific to that area or  
27 work for an outfitter holding an outfitter tag specific to that area.  
28 Both tags must be made available only during the first year of the  
29 pilot project and any guide or outfitter not obtaining such a tag  
30 during the first year cannot purchase a tag during the remainder of  
31 the pilot project period. The fee for the destination fishery guide  
32 tag is five hundred dollars per year. The fee for the destination  
33 fishery outfitter tag is two thousand five hundred dollars per year.  
34 The department must deposit amounts collected in the recreational  
35 steelhead fishery pilot project account created in section 4 of this  
36 act.

37 (3) To qualify for the destination fishery guide tag, an  
38 applicant must demonstrate to the satisfaction of the department that

1 he or she has held a Washington state fish guide license for the  
2 prior four years and has generated fishing guide income from work  
3 within the pilot project area for at least the prior two years. To  
4 qualify for the destination fishery outfitter tag, an applicant must  
5 demonstrate to the satisfaction of the department that he or she has  
6 been operating as an outfitter for the prior four years and has  
7 generated income and employed guides within the pilot project area  
8 for at least the prior two years. The number of guides employed by an  
9 outfitter in a single fishery season may be lower than, but may not  
10 exceed, the number of guides they can demonstrate they have employed  
11 or contracted with in the fishery each year during the past two  
12 years.

13 (4) During the pilot project period, the destination fishery  
14 guide or outfitter tag cannot be sold or transferred. If the  
15 destination fishery guide or outfitter tag is not renewed on an  
16 annual basis during the pilot project, it cannot be repurchased  
17 during the pilot project period.

18 (5) Recreational fishing guides must provide information to the  
19 department through guide log books, in a format developed by the  
20 department. Log books must include at least: Daily guide information  
21 including, but not limited to, specific areas worked; hours fished;  
22 number of guided angler clients; and fish caught. Guide log books  
23 must be returned to the department with a frequency and in a manner  
24 prescribed by the department.

25 (6) After the first two years of the pilot projects, the  
26 department must calculate the total number of guided rod days in each  
27 pilot project area during the prior two years. A "rod day" means one  
28 person who fishes with a guide for one day or a substantial portion  
29 thereof. A single trip by a guide with two recreational anglers both  
30 fishing would count as two rod days. Within each pilot project area,  
31 the department must convene a stakeholder process for the purpose of  
32 reviewing rod day, catch records, and other data, assessing the level  
33 of fishing pressure, and recommending management provisions that  
34 would ensure that recreational fishing pressure does not adversely  
35 impact steelhead populations or the recreational fishing experience.  
36 The recommended management provisions could be within the  
37 department's current legal authority or could require legislative  
38 action. The department must provide a report to the legislature prior  
39 to the end of the pilot project regarding any permanent statutory  
40 changes that would further the purpose of this chapter.

1 (7) The department may establish other administrative provisions  
2 for pilot project participants, including vessel decal requirements  
3 specific to the pilot project.

4 (8) In developing these destination fishery pilot projects, the  
5 department is encouraged to seek stakeholder input on other river  
6 systems, species, and seasons that may warrant designation as a  
7 destination fishery.

8 (9) This section expires June 30, 2022.

9 NEW SECTION. **Sec. 4.** (1) The recreational steelhead fishery  
10 pilot project account is created in the custody of the state  
11 treasurer. All receipts received from tags sold under section 3 of  
12 this act must be deposited in the account. Expenditures from the  
13 account may be used only to implement the pilot projects established  
14 under this chapter with an emphasis on additional enforcement,  
15 monitoring, and other functions within the destination fishery areas  
16 intended to advance the purposes of the pilot projects. Only the  
17 director of the department or the director's designee may authorize  
18 expenditures from the account. The account is subject to the  
19 allotment procedures under chapter 43.88 RCW, but an appropriation is  
20 not required for expenditures.

21 (2) This section expires June 30, 2022.

22 **Sec. 5.** RCW 77.65.500 and 2015 c 97 s 9 are each amended to read  
23 as follows:

24 Licensed taxidermists, fur dealers, anadromous game fish buyers,  
25 fishing guides as required under chapter 77.--- RCW (the new chapter  
26 created in section 6 of this act), game farmers, and persons stocking  
27 game fish or conducting a hunting, fishing, or field trial contest  
28 shall make reports as required by rules of the director.

29 NEW SECTION. **Sec. 6.** Sections 1 through 4 of this act  
30 constitute a new chapter in Title 77 RCW.

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