

HOUSE BILL REPORT

SSB 5501

*As Reported By House Committee on:
Fisheries & Wildlife*

Title: An act relating to commercial salmon fishing licenses.

Brief Description: Concerning license renewal for commercial salmon fishers.

Sponsor(s): Senate Committee on Environment & Natural Resources (originally sponsored by Senators Owen, Sutherland, L. Smith, Vognild, Amondson and Bauer).

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, April 5, 1991, DPA.

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *Do pass as amended.* Signed by 11 members: Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Staff: Keitlyn Watson (786-7310).

Background: Commercial salmon fishing licenses are regulated by the Department of Fisheries. In 1974, the Legislature, finding that fishing gear was becoming increasingly efficient and that there was an overabundance of fishing gear in the water, placed limitations on entry into the commercial salmon fishery. Under current law, licensed commercial salmon fishers must land at least one fish every year in order to validate their licenses. No new licenses are issued. Existing licenses are transferable.

In Hood Canal a declining fishery has caused concern over management techniques used in that area. The Department of Fisheries manages commercial fishers by imposing time and area restrictions and gear restrictions. Methods used to minimize the incidental catch of non-targeted fish by commercial net fishers include gear restrictions and time restrictions. Observers are used on occasion to document incidental catch. The Department of Fisheries manages

recreational fishers by imposing gear restrictions, bag and possession limits, and fish size limits.

Summary of Amended Bill: The director of the Department of Fisheries is required to, in close cooperation with the salmon fishing industry, investigate the requirements for issuance, retention, and transfer of commercial salmon licenses, to determine the optimum number of such licenses for each gear type and licensing area, and to determine the best means of achieving that optimum number.

The director is to consider the impacts of all non-treaty fisheries on weak stocks of salmon including those originating in Hood Canal. The director is to evaluate environmental factors that may cause a decline in the Hood Canal fishery.

The director is required to evaluate the following issues in Hood Canal: whether commercial salmon fisheries in Hood Canal should be restricted to certain areas; whether guidelines pertaining to depth of nets and distance from the shoreline for vessels or skiffs are necessary; how to minimize environmental damage to the bottom and aquatic plant life of Hood Canal; whether effective methods of minimizing bycatch in Hood Canal of blackmouth in commercial net fisheries and of coho salmon in chum salmon fisheries are needed; and whether Hood Canal commercial fishing regulations should be modified accordingly.

The director is required to consider incidental catch impacts on fisheries in determining the optimum number of commercial salmon fishing licenses that should be issued. The director shall evaluate the need for a study, and, if needed, develop a study plan, to document the incidental catch of fish in commercial fisheries. The director will initiate discussions with tribal representatives concerning evaluation of incidental catch in tribal fisheries. The Department of Fisheries shall present its findings and recommendations to the Legislature on or before December 1, 1991.

The director of the Department of Fisheries shall invite members of the House Fisheries and Wildlife Committee and the Senate Environment and Natural Resources Committee to attend relevant meetings as these recommendations are being developed.

Amended Bill Compared to Substitute Bill: The following provisions of the substitute bill are removed in the striking amendment: the Department of Fisheries shall make recommendations on changing existing license requirements for the minimum quantity of salmon caught annually to

qualify for a commercial salmon license renewal, and the director shall establish specific conditions under which commercial salmon licenses may be sold or transferred.

The amendment retains the provision in the substitute bill that the director of the Department of Fisheries investigate the requirements for issuance, retention, and transfer of commercial salmon licenses.

The amendment adds the following provisions. The director is to determine the optimum number of such licenses for each gear type and licensing area, and to determine the best means of achieving that optimum number.

The director is to consider the impacts of all non-treaty fisheries on weak stocks of salmon including those originating in Hood Canal. The director is to evaluate environmental factors that may cause a decline in the Hood Canal fishery.

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Fiscal Note: Available. New fiscal note requested on April 5, 1991.

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

Testimony For: This bill presents a statewide solution to what some perceive as a problem of too many commercial boats. The criteria for renewing licenses are not stringent enough.

Testimony Against: Predeterminations of cause should not be established in the bill. This is simply a bad study bill.

Witnesses: Senator Brad Owen, prime sponsor (in favor); Don Stuart, Salmon for Washington (supports with changes: there should be no predetermined poundage limitation, and should not be tied to catch limitations); Ray Schindler, Purse Seine Vessel Owners Association (opposes with current findings section); Ed Manary, Washington Department of Fisheries (in favor); Rick Hyzer, Trout Unlimited (in favor); Bill Chapman, recreational fisher (in favor); Dick Smythe, recreational fisher (in favor); Steve Arbaugh, Puget Sound Gillnetters Association (neutral); Andy Mitby, commercial fisherman (opposed); Ray Nelson, commercial fisher (in favor); Tolmi Maki, Grays Harbor Gillnetters (opposed); and Richard Haugen, Washington Salmon Trollers (opposed).