

HOUSE BILL REPORT

HB 2294

*As Passed House
February 12, 1992*

Title: An act relating to commercial crab fishing in coastal waters.

Brief Description: Directing a study of the coastal crab fishery.

Sponsor(s): Representatives Basich, R. King, Wilson, Jones, Sheldon, Orr and Mitchell; by request of Department of Fisheries.

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, January 24, 1992, DP;
Passed House, February 12, 1992, 90-0.

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *Do pass.* Signed by 7 members:
Representatives R. King, Chair; Morris, Vice Chair; G. Cole;
Haugen; Hochstatter; Orr; and Spanel.

Staff: Keitlyn Watson (786-7310).

Background: Crab fishing in Washington occurs in Puget Sound, off of the Washington coast including Grays Harbor and Willapa Harbor, and within the zone beyond three miles from the shore. Crab fishing in Washington inside the three mile zone requires a crab pot license from the Department of Fisheries. If fishing takes place beyond the three mile zone, a delivery permit from the department is required to take fish to a port within the state.

Separate crab pot licenses are issued for Puget Sound crab and for "other than Puget Sound" crab. In 1980, in response to an increasing commercial crab fishery in Puget Sound, the Legislature limited entry into this fishery. Commercial crab licenses were only issued to vessels that had held a commercial crab license endorsed for the Puget Sound licensing district during the previous year, and that had landed 1000 pounds of crab during the previous two-year period ending on December 31 of an odd-numbered year for

licenses applied for after January 1, 1984. A maximum of 200 vessels has been set for this fishery.

There is no limit on entry into the commercial crab fishery off the Washington coast or in offshore waters. The abundance of crab and the total harvest fluctuate naturally. The harvest per boat, however, has been declining. This is thought to be attributable to an increasing number of crab fishers.

The Washington Department of Fisheries has jurisdiction over the fishery that takes place within three miles of the coast, but must work with the states of Oregon and California to effectively manage fisheries that occur outside of the three mile zone. The Pacific States Marine Fisheries Commission was authorized by Congress in 1947, and is one of three interstate commissions that serves as a forum for discussion of issues that fall outside of state jurisdiction.

Summary of Bill: The Department of Fisheries is directed to participate in a coastwide study of the Dungeness crab fishery, conducted by the Pacific State Marine Fisheries Commission, and report on:

- (a) the biological status of the coastwide crab resource;
- (b) the optimum number of fishers, vessels, licenses, and gear for the coastal crab fishery;
- (c) the number of fishers, vessels, licenses, and the amount of gear currently used in the coastal crab fishery;
- (d) the feasibility of and need for coordinated and concurrent legislative action by the states of Washington, Oregon, and California to manage the Pacific coastal crab resource;
- (e) the advantages and disadvantages of establishing future limits on the issuance of new Washington coastal crab licenses; and
- (f) the potential for increase in the number of or fishing capacity of coastal crab fishers.

The Department is directed to submit study results and recommendations to the governor and the Legislature by June 30, 1993. Concurrent with their recommendations, the Department of Fisheries is to provide the Legislature with the number of new entrants in the Washington coastal crab fishery after September 15, 1991, the date on which each entrant obtained a coastal crab license and the number and

type of additional Washington commercial fishing licenses held by the new entrant.

The Legislature is authorized to consider limitations on the coastal crab fishery. The Legislature is required to review the study described in this section and determine the appropriate course of action to manage the coastal crab fishery.

A fisher or vessel that obtains a license to participate in the coastal crab fishery on and after September 15, 1991 is informed that the fisher or vessel may be precluded later from participation in the fishery.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: This industry is hurting economically, because there are too many fishers. The industry is overcapitalized. It is one of the few commercial fisheries without a moratorium on new license issuance. The resource must be managed with the other involved states in order for management to be effective. Although limited entry or a moratorium is not necessarily the end product, a study will allow an evaluation of the fishery.

Testimony Against: None.

Witnesses: Ray Nelson, commercial fisher; Ernie Summers, Washington Dungeness Crab Fishers Association; Gordon Tompkins and Dick Sheldon, Columbia River Crab Fishers Association; and Judith Freeman, Washington Department of Fisheries.