

# HOUSE BILL REPORT

## SHB 1239

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### As Passed House:

March 6, 2003

**Title:** An act relating to the commercial harvest of geoduck clams.

**Brief Description:** Creating a geoduck management task force.

**Sponsors:** By House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Cooper, Sump, Dunshee, Kenney, Veloria, Haigh, Berkey, Lantz and Rockefeller).

### Brief History:

#### Committee Activity:

Fisheries, Ecology & Parks: 1/31/03, 2/20/03 [DPS].

#### Floor Activity:

Passed House: 3/6/03, 91-0.

### Brief Summary of Substitute Bill

- Establishes a legislative task force to study the management and harvest of the geoduck resource and provide recommendations to the Legislature by December 1, 2003.

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## HOUSE COMMITTEE ON FISHERIES, ECOLOGY & PARKS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Cooper, Chair; Sump, Ranking Minority Member; Hinkle, Assistant Ranking Minority Member; Buck, Hatfield, O'Brien, Pearson and Upthegrove.

**Staff:** Jeff Olsen (786-7157).

### Background:

The Department of Fish and Wildlife (DFW) issues a geoduck fishery license for persons harvesting geoduck clams on state aquatic lands. The DFW also issues a geoduck diver license for persons engaged in the commercial harvest of geoduck clams. Geoduck harvest rates are established by the DFW for harvest on public lands. The Department of

Natural Resources (DNR) currently designates geoduck harvest tracts, administers geoduck harvest agreements, and enforces commercial harvest contracts.

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**Summary of Substitute Bill:**

A legislative task force (Task Force) is established to study and make recommendations regarding geoduck management and harvest rules. The Task Force is composed of eight legislative members including two members of the House of Representatives appointed by the Speaker of the House of Representatives to include one member from each of the two largest political caucuses; two members of the Senate appointed by the President of the Senate to include one member from each of the two largest political caucuses; the Chair of the House of Representatives' Fisheries, Ecology and Parks Committee; the Chair of the House of Representatives' Agriculture and Natural Resources Committee; the Chair of the Senate Parks, Fish, and Wildlife Committee; and the Chair of the Senate Natural Resources, Energy, and Water Committee.

The Task Force must elect a chair and agree upon procedures for conducting the business of the Task Force. The Task Force may establish an advisory committee of stakeholders including but not limited to representatives from treaty Indian tribes, the aquaculture industry, geoduck divers, private shoreline property owners, the DFW, the DNR, the Department of Health, the Department of Agriculture, local government, and other affected stakeholders. Staff support for the Task Force must be provided by the House of Representatives' Office of Program Research and Senate Committee Services.

By December 1, 2003, the Task Force must report to the Legislature with recommendations for improving the coordinated management of the geoduck resource; the costs and benefits of implementing a limited entry geoduck diver license; improvements for compliance and enforcement with geoduck harvest rules on state and nonstate-owned lands; improvements to state rules of geoduck harvesting; and recommendations for the state's potential role in aquaculture and reseedling of geoduck clams. The Task Force expires January 1, 2004.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (Original bill) Removing the 200-yard restriction has several positive impacts including equality in harvest restrictions with the tribes, opening up beds for harvest, and making enforcement easier for the DNR. Geoduck divers will be better able

to comply with harvest restrictions and it is safer to dive in shallower water. Divers can monitor their depth, but it is difficult to monitor the 200 yard restriction while underwater. Local conditions may still be protected, such as environmental protections for eelgrass and mitigating impacts for local property owners. Revenues from geoduck sales will increase if the restriction is removed.

**Testimony Against:** None.

**Testified:** David P. Hearn, Alaska Ice Seafoods; Leigh Espy, Washington Department of Natural Resources; John Lentz, Duc's Inc.; Gordon Baxter, Inland Boatman's Union and Geoduck Harvesters; Casey Bakker, Casey Bakker, Inc.; and Brad Nelson, Washington Geoduck Harvesters Association.