
HOUSE BILL 2205

State of Washington

58th Legislature

2003 Regular Session

By Representatives Cooper, Upthegrove and Berkey

Read first time 03/05/2003. Referred to Committee on Fisheries,
Ecology & Parks.

1 AN ACT Relating to protecting the rights of recreational anglers in
2 the marine waters of Washington; adding a new section to chapter 77.12
3 RCW; creating a new section; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds and declares that
6 recreational fishing is one of the most popular outdoor sporting
7 activities in this state. The vast number of individuals who take to
8 the waters of Washington for the purpose of recreational fishing make
9 a substantial contribution to the state and local economy.
10 Recreational fishing also makes a substantial contribution to the
11 quality of life in this state. The legislature further finds and
12 declares that recreational fishers have long demonstrated a
13 conservation ethic through their abidance with fisheries management
14 laws and rules including minimum size requirements, bag limits,
15 seasonal closures, and through the use of nonlethal fishing gear. The
16 legislature further finds and declares that the ocean, bays, and
17 estuaries are some of Washington's most important natural resources.
18 Effective planning, assessment, and management in the conservation of
19 the resources of the ocean, bays, and estuaries are important tools,

1 which must be utilized effectively to protect the marine environment.
2 The legislature further finds and declares that the marine environment
3 can be adequately protected without unnecessarily closing off areas of
4 this state's ocean, bays, or estuaries to recreational fishers.
5 Therefore, the legislature declares the necessity of the enactment of
6 this act to ensure that the fishing public's interest and the interests
7 of the marine environment are both adequately protected.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW
9 to read as follows:

10 The marine waters of the state of Washington may not be permanently
11 closed to recreational fishing unless:

12 (1) There is a clear indication that recreational fishing is the
13 cause of a specific conservation problem and that less severe
14 conservation measures, including but not limited to, minimum size
15 requirements, bag limits, or seasonal closures will not adequately
16 provide for conservation of the affected stocks of fish;

17 (2) The closed area rules include specific measurable criteria to
18 determine the conservation benefit of the closed area on the affected
19 stocks of fish and provide a timetable for periodic review of the
20 continued need for the closed area at least once every three years;

21 (3) The closed area is no larger than that which is supported by
22 the best available scientific information as determined by the
23 department; and

24 (4) Provisions are made to reopen the closed area to recreational
25 fishing whenever the basis for the closure no longer exists.

26 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and takes effect
29 immediately.

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