
HOUSE BILL 2348

State of Washington 58th Legislature 2004 Regular Session

By Representatives Eickmeyer, Buck, Haigh, Armstrong and Rockefeller

Prefiled 1/8/2004. Read first time 01/12/2004. Referred to
Committee on Fisheries, Ecology & Parks.

1 AN ACT Relating to geoduck harvest in Hood Canal; and adding a new
2 section to chapter 77.65 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.65 RCW
5 to read as follows:

6 (1) The department is prohibited from entering or reentering into
7 any management plan with either a state or nonstate entity that would
8 allow for the harvest of naturally occurring geoduck in Hood Canal
9 below the mean low tide line until the commission adopts an
10 administrative rule canceling or modifying the restriction. For the
11 purposes of this section only, Hood Canal means the area bounded by a
12 line projected from Tala Point in Jefferson county to Foulweather Bluff
13 in Kitsap county, and includes all marine waters south of this line and
14 the associated aquatic lands.

15 (2) The commission may adopt a rule allowing the department to
16 enter into management agreements with state or nonstate entities that
17 allow for the harvest of naturally occurring geoduck in Hood Canal
18 below the mean low tide line only if a majority of the members of the
19 commission vote to affirm that substantial, peer-reviewed research

1 strongly indicates that the commercial harvest of geoduck in Hood Canal
2 does not have either a significant short-term adverse effect or
3 significant long-term adverse effect on the environmental health of
4 Hood Canal, including water quality and dissolved oxygen levels. Any
5 research considered must be specifically tailored to the unique
6 conditions of Hood Canal and must address the effect of removing a
7 large quantity of geoducks from Hood Canal.

8 (3) If a majority of the members of the commission vote
9 affirmatively on a rule under subsection (2) of this section, a summary
10 of the research considered must be presented to the appropriate
11 standing committees of both the house of representatives and the
12 senate. No rule may take effect until thirty days after the
13 adjournment of the session during which the research is presented.

14 (4) The department of natural resources is prohibited from entering
15 or reentering into a management plan with either a state or nonstate
16 entity that allows for the harvest of naturally occurring geoduck in
17 Hood Canal below the mean low tide line unless the department of fish
18 and wildlife is authorized by the commission to enter into such a
19 management plan.

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