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**SUBSTITUTE HOUSE BILL 2920**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Pearson, Sump, Mielke, Boldt, Hinkle, Condotta and Buck)

READ FIRST TIME 02/10/04.

1       AN ACT Relating to special economic recreational fisheries;  
2 amending RCW 77.04.012, 77.04.055, and 77.12.760; adding a new section  
3 to chapter 77.12 RCW; and creating a new section.

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

5       NEW SECTION. **Sec. 1.** The legislature finds that recreational  
6 fishing generated approximately eight hundred thirty-five million  
7 dollars in economic activity in 2001. The legislature further finds  
8 that recreational fishing seasons provide significant economic benefits  
9 to local economies. The legislature therefore finds that an advisory  
10 group of affected stakeholders could assist the fish and wildlife  
11 commission and the director by making recommendations regarding fishing  
12 seasons and allocation of harvestable fish in a manner that  
13 accomplishes fishery management objectives and maximizes benefits to  
14 local communities.

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

17       (1) Recreational and commercial fishing stakeholders may form a  
18 special economic fishery advisory committee within an administrative

1 region of the department by notifying the director. A special economic  
2 fishery advisory committee shall consist of a minimum of five and no  
3 more than fifteen members representing a balance of local interests  
4 including but not limited to recreational fishers, sport fishing  
5 organizations, commercial fishing interests, and local business owners.  
6 Commercial fishing interests may choose not to participate in a special  
7 economic fishery advisory committee when the committee only addresses  
8 fishery resources harvested by recreational fishers.

9 (2) A special economic fishery advisory committee may:

10 (a) Review and provide guidance on proposed recreational and  
11 commercial fishing seasons within an administrative region of the  
12 department;

13 (b) Advise the department of significant economic impacts to local  
14 economies of proposed fishing seasons;

15 (c) Recommend to the department and commission the development of  
16 alternative fishing seasons that accomplish fishery management  
17 objectives and maximize economic benefits to local communities; and

18 (d) Not meet more than three times per calendar year unless  
19 additional meetings are approved in writing by the director.

20 **Sec. 3.** RCW 77.04.012 and 2000 c 107 s 2 are each amended to read  
21 as follows:

22 Wildlife, fish, and shellfish are the property of the state. The  
23 commission, director, and the department shall preserve, protect,  
24 perpetuate, and manage the wildlife and food fish, game fish, and  
25 shellfish in state waters and offshore waters.

26 The department shall conserve the wildlife and food fish, game  
27 fish, and shellfish resources in a manner that does not impair the  
28 resource. In a manner consistent with this goal, the department shall  
29 seek to maintain the economic well-being and stability of the fishing  
30 industry in the state. The department shall promote orderly fisheries  
31 and shall enhance and improve recreational and commercial fishing in  
32 this state. The department shall work with special economic fishery  
33 advisory committees created in section 2 of this act to evaluate  
34 alternative fishing seasons and consider the economic impacts to local  
35 economies.

36 The commission may authorize the taking of wildlife, food fish,

1 game fish, and shellfish only at times or places, or in manners or  
2 quantities, as in the judgment of the commission does not impair the  
3 supply of these resources.

4 The commission shall attempt to maximize the public recreational  
5 game fishing and hunting opportunities of all citizens, including  
6 juvenile, disabled, and senior citizens.

7 Recognizing that the management of our state wildlife, food fish,  
8 game fish, and shellfish resources depends heavily on the assistance of  
9 volunteers, the department shall work cooperatively with volunteer  
10 groups and individuals to achieve the goals of this title to the  
11 greatest extent possible.

12 Nothing in this title shall be construed to infringe on the right  
13 of a private property owner to control the owner's private property.

14 **Sec. 4.** RCW 77.04.055 and 2000 c 107 s 204 are each amended to  
15 read as follows:

16 (1) In establishing policies to preserve, protect, and perpetuate  
17 wildlife, fish, and wildlife and fish habitat, the commission shall  
18 meet annually with the governor to:

19 (a) Review and prescribe basic goals and objectives related to  
20 those policies; and

21 (b) Review the performance of the department in implementing fish  
22 and wildlife policies.

23 The commission shall maximize fishing, hunting, and outdoor  
24 recreational opportunities compatible with healthy and diverse fish and  
25 wildlife populations. The commission shall work with special economic  
26 fishery advisory committees created in section 2 of this act to  
27 evaluate alternative fishing seasons and consider the economic impacts  
28 to local economies.

29 (2) The commission shall establish hunting, trapping, and fishing  
30 seasons and prescribe the time, place, manner, and methods that may be  
31 used to harvest or enjoy game fish and wildlife.

32 (3) The commission shall establish provisions regulating food fish  
33 and shellfish as provided in RCW 77.12.047.

34 (4) The commission shall have final approval authority for tribal,  
35 interstate, international, and any other department agreements relating  
36 to fish and wildlife.

1 (5) The commission shall adopt rules to implement the state's fish  
2 and wildlife laws.

3 (6) The commission shall have final approval authority for the  
4 department's budget proposals.

5 (7) The commission shall select its own staff and shall appoint the  
6 director of the department. The director and commission staff shall  
7 serve at the pleasure of the commission.

8 **Sec. 5.** RCW 77.12.760 and 1993 sp.s. c 2 s 78 are each amended to  
9 read as follows:

10 (1) Non-Indian steelhead trout harvest allocations shall be managed  
11 solely as a recreational fishery for non-Indian (~~(fishermen)~~) fishers  
12 under the rule-setting authority of the fish and wildlife commission.  
13 The commission shall work with special economic fishery advisory  
14 committees created in section 2 of this act to evaluate alternative  
15 fishing seasons and consider the economic impacts to local economies.

16 (2) Commercial non-Indian steelhead fisheries are not authorized.

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