
**Agriculture & Natural Resources
Committee**

HB 1516

Brief Description: Regarding the recovery of gear used in the coastal Dungeness crab fishery.

Sponsors: Representatives Blake and Kretz.

Brief Summary of Bill

- Requires the Washington Fish and Wildlife Commission to adopt rules that allow individuals with a license in the Dungeness crab-coastal fishery to remove gear remaining in the water after the close of the fishing season.
- Allows the Washington Fish and Wildlife Commission to initiate a system for voluntarily declaring gear abandoned after the close of the fishing season, if appropriate.

Hearing Date: 2/10/09

Staff: Anna Jackson (786-7190)

Background:

The Washington Fish and Wildlife Commission

The Washington Fish and Wildlife Commission (Commission) consists of nine members appointed by the Governor and is charged with establishing policies that preserve, protect, and perpetuate wildlife and fish [RCW 77.04.030, 77.04.055]. The Commission is authorized to allow the taking of wildlife, fish, and shellfish at times or places, or in manners or quantities, that in the Commission's judgment does not impair the supply of these resources [RCW 77.04.012].

The Coastal Dungeness Crab Fishery

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The coastal commercial Dungeness crab fishery has operated in Washington's coastal waters for more than 60 years, with 225 coastal Dungeness crab licenses in existence under a limited license program. Of the 225 issued licenses, approximately 200 have been actively fished during recent seasons. At the beginning of each commercial season in December or January, approximately 90,000 crab pots are deployed, and the majority of crabs are harvested in the first four to five months of the nine-month season.

In order to engage in commercial fishing in Washington, an individual is required to have the appropriate commercial fishing license or permit for the particular fishery in question [RCW 77.65.010]. Currently, it is unlawful for a person to possess or use crab gear belonging to another person. In addition, an owner or operator of commercial shellfish gear is required to mark the gear in order to lawfully leave it unattended in waters of the state.

Derelict Gear

The Washington Department of Fish and Wildlife (Department) currently maintains a database of known derelict fishing gear, including the type of gear and its location [RCW 77.12.870(1)]. Derelict fishing gear includes lost or abandoned fishing nets, fishing lines, crab pots, shrimp pots, and other commercial and recreational fishing equipment, but does not include lost or abandoned vessels [RCW 77.12.865]. An individual who loses or abandons commercial fishing gear in waters of the state is encouraged but not required to report the location of the loss and type of gear lost to the Department within 48 hours of the loss. [RCW 77.12.870(2)].

Summary of Bill:

The Commission must adopt rules that allow individuals with the applicable commercial fishery license in the Dungeness crab-coastal fishery to remove gear remaining in the water after the close of the fishing season, regardless of whether it was originally set by the individual or not.

The Commission is authorized to implement a system under which fishermen in the Dungeness coastal fishery with lost or abandoned gear may file a declaration after the close of the season stating that their gear is abandoned. This "abandoned gear declaration" system may be used to facilitate the process of removing lost or abandoned gear that remains in the water post-season. Under such a system, the Commission may issue fines for undeclared gear remaining in the water after the close of the season and require that the fines be deposited into a fund designated for future gear recovery.

Appropriation: None.

Fiscal Note: Not requested.

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