
SENATE BILL 5567

State of Washington

67th Legislature

2022 Regular Session

By Senators Van De Wege and Salomon

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1 AN ACT Relating to commercial salmon fishing; amending RCW
2 77.50.030, 77.65.160, 82.27.020, and 82.27.070; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that wild salmon
6 populations have declined and that many populations are threatened
7 and endangered. The legislature further finds that allowing the use
8 of alternative fishing techniques that can reduce or eliminate
9 impacts to threatened wild fish, while allowing for selective harvest
10 of hatchery stocks, improves the recovery of wild fish and increases
11 the opportunities to catch harvestable stocks. Therefore, the
12 legislature finds that repealing provisions of Initiative 77 from
13 1934 that restricts the use of certain fishing gear will provide
14 fisheries managers with additional options for managing the selective
15 harvest of salmon stocks.

16 **Sec. 2.** RCW 77.50.030 and 2001 c 163 s 2 are each amended to
17 read as follows:

18 (1) A person shall not use, operate, or maintain a gill net which
19 exceeds one thousand five hundred feet in length or a drag seine in
20 the waters of the Columbia river for catching salmon.

1 (2) (~~A person shall not construct, install, use, operate, or~~
2 ~~maintain within state waters a pound net, round haul net, lampara~~
3 ~~net, fish trap, fish wheel, scow fish wheel, set net, weir, or fixed~~
4 ~~appliance for catching salmon or steelhead except under the authority~~
5 ~~of a trial or experimental fishery permit, when an emerging~~
6 ~~commercial fishery has been designated allowing use of one or more of~~
7 ~~these gear types. The director must consult with the commercial~~
8 ~~fishing interests that would be affected by the trial or experimental~~
9 ~~fishery permit. The director may authorize the use of this gear for~~
10 ~~scientific investigations.~~

11 (3)) The department, in coordination with the Oregon department
12 of fish and wildlife, shall adopt rules to regulate the use of
13 monofilament in gill net webbing on the Columbia river.

14 **Sec. 3.** RCW 77.65.160 and 2018 c 235 s 2 are each amended to
15 read as follows:

16 (1) The following commercial salmon fishery licenses are required
17 for the license holder to use the specified gear to fish for salmon
18 in state waters. Only a person who meets the qualifications of RCW
19 77.70.090 may hold a license listed in this subsection. The licenses
20 and their annual license fees, application fees, and surcharges under
21 RCW 77.95.090 are:

	Fishery	Resident	Nonresident	Surcharge	Application
	License	Fee	Fee		Fee
(a)	Salmon Gill Net— Grays Harbor- Columbia river	\$380	\$765	plus \$100	\$105
(b)	Salmon Gill Net— Puget Sound	\$380	\$765	plus \$100	\$105

1	(c)	Salmon Gill	\$380	\$765	plus \$100	\$105
2		Net—				
3		Willapa				
4		Bay-				
5		Columbia				
6		river				
7	(d)	<u>Salmon pound</u>	<u>\$300</u>	<u>\$765</u>	<u>plus \$100</u>	<u>\$105</u>
8		<u>net</u>				
9	(e)	Salmon purse	\$545	\$930	plus \$100	\$105
10		seine				
11	((e))	Salmon reef	\$380	\$765	plus \$100	\$105
12	(f)	net				
13	((f))	Salmon troll	\$380	\$765	plus \$100	\$105
14	(g)					

15 (2) A license issued under this section authorizes no taking or
16 delivery of salmon or other food fish unless a vessel is designated
17 under RCW 77.65.100.

18 (3) Holders of commercial salmon fishery licenses may retain
19 incidentally caught food fish other than salmon, subject to rules of
20 the department.

21 (4) A salmon troll license includes a salmon delivery license.

22 (5) A salmon gill net license authorizes the taking of salmon
23 only in the geographical area for which the license is issued. The
24 geographical designations in subsection (1) of this section have the
25 following meanings:

26 (a) "Puget Sound" includes waters of the Strait of Juan de Fuca,
27 Georgia Strait, Puget Sound and all bays, inlets, canals, coves,
28 sounds, and estuaries lying easterly and southerly of the
29 international boundary line and a line at the entrance to the Strait
30 of Juan de Fuca projected northerly from Cape Flattery to the
31 lighthouse on Tatoosh Island and then to Bonilla Point on Vancouver
32 Island.

33 (b) "Grays Harbor-Columbia river" includes waters of Grays Harbor
34 and tributary estuaries lying easterly of a line projected northerly
35 from Point Chehalis Light to Point Brown and those waters of the
36 Columbia river and tributary sloughs and estuaries easterly of a line
37 at the entrance to the Columbia river projected southerly from the
38 most westerly point of the North jetty to the most westerly point of
39 the South jetty.

1 (c) "Willapa Bay-Columbia river" includes waters of Willapa Bay
2 and tributary estuaries and easterly of a line projected northerly
3 from Leadbetter Point to the Cape Shoalwater tower and those waters
4 of the Columbia river and tributary sloughs described in (b) of this
5 subsection.

6 (6) A commercial salmon troll fishery license may be renewed
7 under this section if the license holder notifies the department by
8 May 1st of that year that he or she will not participate in the
9 fishery during that calendar year. A commercial salmon gill net, reef
10 net, or seine fishery license may be renewed under this section if
11 the license holder notifies the department before the third Monday in
12 September of that year that he or she will not participate in the
13 fishery during that calendar year. The license holder must pay the
14 one hundred dollar enhancement surcharge, plus a one hundred five
15 dollar application fee before the third Monday in September, in order
16 to be considered a valid renewal and eligible to renew the license
17 the following year.

18 (7) Notwithstanding the annual license fees and surcharges
19 established in subsection (1) of this section, a person who holds a
20 resident commercial salmon fishery license shall pay an annual
21 license fee of one hundred dollars plus the surcharge and application
22 fee if all of the following conditions are met:

23 (a) The license holder is at least seventy-five years of age;

24 (b) The license holder owns a fishing vessel and has fished with
25 a resident commercial salmon fishery license for at least thirty
26 years; and

27 (c) The commercial salmon fishery license is for a geographical
28 area other than the Puget Sound.

29 An alternate operator may not be designated for a license renewed
30 at the one hundred dollar annual fee under this subsection (7).

31 **Sec. 4.** RCW 82.27.020 and 2017 3rd sp.s. c 8 s 53 are each
32 amended to read as follows:

33 (1) In addition to all other taxes, licenses, or fees provided by
34 law there is established an excise tax on the commercial possession
35 of enhanced food fish as provided in this chapter. The tax is levied
36 upon and shall be collected from the owner of the enhanced food fish
37 whose possession constitutes the taxable event. The taxable event is
38 the first possession in Washington by an owner after the enhanced
39 food fish has been landed. Processing and handling of enhanced food

1 fish by a person who is not the owner is not a taxable event to the
2 processor or handler.

3 (2) A person in possession of enhanced food fish and liable to
4 this tax may deduct from the price paid to the person from which the
5 enhanced food fish (except oysters) are purchased an amount equal to
6 a tax at one-half the rate levied in this section upon these
7 products.

8 (3) The measure of the tax is the value of the enhanced food fish
9 at the point of landing.

10 (4) The tax shall be equal to the measure of the tax multiplied
11 by the rates for enhanced food fish as follows:

12 (a) (~~Puget Sound Chinook, coho, and chum salmon and anadromous~~
13 ~~game fish: Five and twenty-five one-hundredths percent;~~

14 ~~(b) Ocean waters, Columbia river, Willapa Bay, and Grays Harbor))~~
15 Chinook, coho, and chum salmon and anadromous game fish: (~~Six and~~
16 ~~twenty-five one-hundredths)) Seven percent;~~

17 (~~(e))~~) (b) Pink and sockeye salmon: Three and fifteen one-
18 hundredths percent;

19 (~~(d))~~) (c) Other food fish and shellfish, except oysters, sea
20 urchins, and sea cucumbers: Two and one-tenth percent;

21 (~~(e))~~) (d) Oysters: Eight one-hundredths of one percent;

22 (~~(f))~~) (e) Sea urchins: Two and one-tenth percent; and

23 (~~(g))~~) (f) Sea cucumbers: Two and one-tenth percent.

24 (5) An additional tax is imposed equal to the rate specified in
25 RCW 82.02.030 multiplied by the tax payable under subsection (4) of
26 this section.

27 **Sec. 5.** RCW 82.27.070 and 2020 c 148 s 28 are each amended to
28 read as follows:

29 All taxes collected by the department of revenue under this
30 chapter shall be deposited in the state general fund except for the
31 following:

32 (1) The excise tax on anadromous game fish is deposited in the
33 fish, wildlife, and conservation account created in RCW 77.12.170(3).

34 (2) The excise tax on (~~ocean waters, Columbia river, Willapa~~
35 ~~Bay, and Grays Harbor)) chinook, coho, and chum salmon is deposited
36 as follows:~~

37 (a) The equivalent of (~~five and twenty-five one-hundredths)) six
38 percent shall be deposited in the state general fund to support
39 hatchery production.~~

1 (b) The equivalent of one percent shall be deposited in the fish,
2 wildlife, and conservation account created in RCW 77.12.170(3) to
3 support hatchery production and commercial fisheries management.

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