CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5076

Chapter 118, Laws of 2025

69th Legislature
2025 Regular Session

NONSPOT SHRIMP POT-PUGET SOUND FISHERY LICENSE

EFFECTIVE DATE: July 27, 2025

Passed by the Senate February 19, 2025
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Passed by the House April 9, 2025
Yeas 97 Nays 0

LAURIE JINKINS

Speaker of the House of Representatives

Approved April 22, 2025 9:25 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5076** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

April 22, 2025

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 5076

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Senate Agriculture & Natural Resources (originally sponsored by Senators Muzzall, Chapman, Cortes, Dozier, Lovelett, Shewmake, and Trudeau)

READ FIRST TIME 02/03/25.

AN ACT Relating to establishing a Puget Sound nonspot shrimp pot fishery license; amending RCW 77.70.005, 77.70.410, 77.70.420, and 77.65.220; and adding a new section to chapter 77.70 RCW.

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

Sec. 1. RCW 77.70.005 and 2011 c 147 s 5 are each amended to read as follows:

The definitions in this section apply throughout this chapter and related rules adopted by the department unless the context clearly requires otherwise.

(1) "Deliver" or "delivery" means arrival at a place or port, and includes arrivals from offshore waters to waters within the state and arrivals ashore from offshore waters.

(2) "Nonspot shrimp" means a species complex composed of the following species of pandalid shrimp including Dock shrimp (*Pandalus danae*), coonstripe shrimp (*Pandalus hypsinotus*), humpy shrimp (*Pandalus goniurus*), ocean pink shrimp (*Pandalus jordani*), pink shrimp (*Pandalus eous*), and side stripe shrimp (*Pandalus* (*Pandalopsis*) *dispar*).

(3) "Pacific sardine" and "pilchard" means the species *Sardinops sagax*.

((~~(3)~~)) (4) "Spot shrimp" means the species *Pandalus platyceros*.

Sec. 2. RCW 77.70.410 and 2001 c 105 s 1 are each amended to read as follows:

(1) The shrimp pot-Puget Sound fishery is a limited entry fishery and a person shall not fish for spot shrimp or nonspot shrimp taken from Puget Sound for commercial purposes with shrimp pot gear except under the provisions of a shrimp pot-Puget Sound fishery license issued under RCW 77.65.220.

(2) A shrimp pot-Puget Sound fishery license shall only be issued to a natural person who held a shrimp pot-Puget Sound fishery license during the previous year, except upon the death of the licensee the license shall be treated as analogous to personal property for purposes of inheritance and intestacy.

(3) No more than two shrimp pot-Puget Sound fishery licenses may be owned by a licensee. The licensee must transfer the second license into the licensee's name, and designate on the second license the same vessel as is designated on the first license at the time of the transfer. Licensees who hold two shrimp pot-Puget Sound fishery licenses may not transfer one of the two licenses for a ((~~twelve-month~~)) 12-month period beginning on the date the second license is transferred to the licensee, but the licensee may transfer both licenses to another natural person. The nontransferability provisions of this subsection start anew for the receiver of the two licenses. Licensees who hold two shrimp pot-Puget sound fishery licenses may fish one and one-half times the maximum number of pots allowed for Puget Sound shrimp, and may retain and land one and one-half times the maximum catch limits established for Puget Sound shrimp taken with shellfish pot gear.

(4) Through December 31, 2001, shrimp pot-Puget Sound fishery licenses are transferable only to a current shrimp pot-Puget Sound fishery licensee, or upon death of the licensee. Beginning January 1, 2002, shrimp pot-Puget Sound commercial fishery licenses are transferable, except holders of two shrimp pot-Puget Sound licenses are subject to nontransferability provisions as provided for in this section.

(5) Through December 31, 2001, a shrimp pot-Puget Sound licensee may designate any natural person as the alternate operator for the license. Beginning January 1, 2002, a shrimp pot-Puget Sound licensee may designate only an immediate family member, as defined in RCW 77.12.047, or the immediate family member of a shrimp pot-Puget Sound licensee's spouse as the alternate operator((~~.~~)) with the following

exceptions: A licensee with a bona fide medical emergency may designate a person other than an immediate family member as the alternate operator for a period not to exceed two years, provided the licensee documents the medical emergency with letters from two medical doctors describing the illness or condition that prevents the licensee from participating in the fishery. The two-year period may be extended by the director upon recommendation of a department-appointed Puget Sound shrimp pot advisory board. ((~~If the licensee has no immediate family member who is capable of operating the license, the~~)) A licensee may ((~~make a request to~~)) designate any natural person as the alternate operator by requesting the Puget Sound shrimp pot advisory board to designate an alternate operator who is not an immediate family member, and upon recommendation of the Puget Sound shrimp pot advisory board, the director may allow designation of an alternate operator who is not an immediate family member.

Sec. 3. RCW 77.70.420 and 2001 c 105 s 2 are each amended to read as follows:

(1) The shrimp trawl-Puget Sound fishery is a limited entry fishery and a person shall not fish for nonspot shrimp taken from Puget Sound for commercial purposes with shrimp trawl gear except under the provisions of a shrimp trawl-Puget Sound fishery license issued under RCW 77.65.220.

(2) A shrimp trawl-Puget Sound fishery license shall only be issued to a natural person who held a shrimp trawl-Puget Sound fishery license during the previous licensing year, except upon the death of the licensee the license shall be treated as analogous to personal property for purposes of inheritance and intestacy. Upon the death of the licensee, the shrimp trawl-Puget Sound fishery license is converted to a nonspot shrimp pot-Puget Sound fishery license for purposes of inheritance and intestacy.

(3) No more than one shrimp trawl-Puget Sound fishery license may be owned by a licensee.

(4) Through December 31, 2001, shrimp trawl-Puget Sound fishery licenses are nontransferable, except upon death of the licensee. Beginning January 1, 2002, through July 31, 2025, shrimp trawl-Puget Sound licenses are transferable. Beginning August 1, 2025, shrimp trawl-Puget Sound fishery licenses are only transferable if the

license is converted to a nonspot shrimp pot-Puget Sound fishery license.

(5) Through December 31, 2001, a shrimp trawl-Puget Sound licensee may designate any natural person as the alternate operator for the license. Beginning January 1, 2002, a shrimp trawl-Puget Sound licensee may designate only an immediate family member, as defined in RCW 77.12.047, or an immediate family member of a shrimp trawl-Puget Sound licensee's spouse as the alternate operator((~~.~~)) with the following exceptions: A licensee with a bona fide medical emergency may designate a person other than an immediate family member as the alternate operator for a period not to exceed two years, provided the licensee documents the medical emergency with letters from two medical doctors describing the illness or condition that prevents the immediate family member from participating in the fishery. The two-year period may be extended by the director upon recommendation of a department-appointed Puget Sound shrimp trawl advisory board. ((~~If the licensee has no immediate family member who is capable of operating the license, the licensee may make a request to~~)) A licensee may designate any natural person as the alternate operator by requesting the Puget Sound shrimp trawl advisory board to designate an alternate operator who is not an immediate family member, and upon recommendation of the Puget Sound shrimp trawl advisory board, the director may allow designation of an alternate operator who is not an immediate family member.

(6) A holder of a shrimp trawl-Puget Sound fishery license issued under RCW 77.65.220 may harvest members of the nonspot shrimp species within the waters of Puget Sound.

(7) No more than one shrimp trawl-Puget Sound fishery license or nonspot shrimp pot-Puget Sound fishery license may be owned by a licensee.

(8) The combined number of shrimp trawl-Puget Sound fishery licenses and nonspot shrimp pot-Puget Sound fishery licenses issued under RCW 77.65.220 is limited to five licenses in total.

NEW SECTION. **Sec. 4.** A new section is added to chapter 77.70 RCW to read as follows:

(1) The nonspot shrimp pot-Puget Sound fishery is a limited entry fishery and a person may not fish for nonspot shrimp for commercial purposes with nonspot shrimp pot gear except under the provisions of

a nonspot shrimp pot-Puget Sound fishery license or a shrimp pot-Puget Sound fishery license issued under RCW 77.65.220.

(2) A nonspot shrimp pot-Puget Sound fishery license may designate only an immediate family member, as defined in RCW 77.12.047, or an immediate family member of a nonspot shrimp pot-Puget Sound licensee's spouse as the alternate operator with the following exceptions: A licensee with a bona fide medical emergency may designate a person other than an immediate family member as the alternate operator for a period not to exceed two years, provided the licensee documents the medical emergency with letters from two medical doctors describing the illness or condition that prevents the immediate family member from participating in the fishery. The two-year period may be extended by the director upon recommendation of a department-appointed Puget Sound shrimp trawl advisory board. A licensee may designate any natural person as the alternate operator by requesting the Puget Sound shrimp trawl advisory board to designate an alternate operator who is not an immediate family member, and upon recommendation of the Puget Sound shrimp trawl advisory board, the director may allow designation of an alternate operator who is not an immediate family member.

(3) A holder of a nonspot shrimp pot-Puget Sound fishery license issued under RCW 77.65.220 may harvest members of the nonspot shrimp species within the waters of Puget Sound.

(4) The combined number of shrimp trawl-Puget Sound fishery licenses and nonpot shrimp pot-Puget Sound fishery licenses issued under RCW 77.65.220 is limited to five licenses in total.

(5) A nonspot shrimp pot-Puget Sound fishery license may only be issued to a natural person who held a nonspot shrimp pot-Puget Sound fishery license or a shrimp trawl-Puget Sound fishery license issued during the previous licensing year, except upon the death of the licensee the license must be treated as analogous to personal property for purposes of inheritance and intestacy.

(6) No more than one shrimp trawl-Puget Sound fishery license or nonspot shrimp pot-Puget Sound fishery license may be owned by a licensee.

(7) A shrimp trawl-Puget Sound fishery license may be converted to a limited entry nonspot shrimp pot-Puget Sound fishery license by any holder of a shrimp trawl-Puget Sound fishery license. A shrimp trawl-Puget Sound fishery license that is converted to a limited

entry nonspot shrimp pot-Puget Sound fishery license is permanently retired as a shrimp trawl license.

(8) A converted limited entry nonspot shrimp pot-Puget Sound fishery license may only fish on nonspot shrimp resources previously allocated to shrimp trawl-Puget Sound fishery license holders. If all shrimp trawl-Puget Sound fishery licenses convert to nonspot shrimp pot-Puget Sound fishery licenses, the department shall work with stakeholders to review the allocation of the commercial nonspot shrimp resources and develop recommendations for future allocations.

(9) Nonspot shrimp pot-Puget Sound fishery license holders reserve the right to cooperatively modify and design gear with the department via a director's issued permit to efficiently and economically harvest *Pandalus eous*, *Pandalus jordani*, and *Pandalus dispar*. The process to modify and design gear is intended to develop the fishery to ensure a means to harvest all nonspot shrimp species for these license holders.

Sec. 5. RCW 77.65.220 and 2018 c 235 s 7 are each amended to read as follows:

(1) This section establishes commercial fishery licenses required for shellfish fisheries and the annual fees for those licenses. The director may issue a limited entry commercial fishery license only to a person who meets the qualifications established in applicable governing sections of this title.

Fishery (Governing section(s))	Annual Fee		Application Fee	Vessel Required?	Limited Entry?
	Resident	Nonresident			
(a) Burrowing shrimp	$235	$620	$105	Yes	No
(b) Crab ring net-Puget Sound	$180	$565	$ 70	Yes	No
(c) Dungeness crab-coastal (RCW 77.70.280)	$345	$730	$105	Yes	Yes
(d) Dungeness crab-Puget Sound (RCW 77.70.110)	$180	$565	$105	Yes	Yes
(e) Emerging commercial fishery (RCW 77.70.160 and 77.65.400)	$335	$720	$105	Determined by rule	Determined by rule

(f) Geoduck (RCW 77.70.220)	$ 0	$ 0	$ 70	Yes	Yes
(g) Hardshell clam mechanical harvester (RCW 77.65.250)	$580	$965	$ 70	Yes	No
(h) Nonspot shrimp pot-Puget Sound (section 4 of this act)	$335	$720	$105	Yes	Yes
(i) Oyster reserve (RCW 77.65.260)	$180	$565	$ 70	No	No
(((~~i~~))) (j) Razor clam	$180	$565	$105	No	No
(((~~j~~))) (k) Sea cucumber dive (RCW 77.70.190)	$280	$665	$105	Yes	Yes
(((~~k~~))) (l) Sea urchin dive (RCW 77.70.150)	$280	$665	$105	Yes	Yes
(((~~l~~))) (m) Shellfish dive	$180	$565	$ 70	Yes	No
(((~~m~~))) (n) Shellfish pot	$180	$565	$ 70	Yes	No
(((~~n~~))) (o) Shrimp pot-Puget Sound (RCW 77.70.410)	$335	$720	$105	Yes	Yes
(((~~o~~))) (p) Shrimp trawl-Puget Sound (RCW 77.70.420)	$335	$720	$105	Yes	Yes
(((~~p~~))) (q) Spot shrimp-coastal	$335	$720	$ 70	Yes	Yes
(((~~q~~))) (r) Squid	$335	$720	$ 70	Yes	No

(2) The director may by rule determine the species of shellfish that may be taken with the commercial fishery licenses established in this section, the gear that may be used with the licenses, and the areas or waters in which the licenses may be used. Where a fishery license has been established for a particular species, gear, geographical area, or combination thereof, a more general fishery license may not be used to take shellfish in that fishery.

Passed by the Senate February 19, 2025.
Passed by the House April 9, 2025.
Approved by the Governor April 22, 2025.

Filed in Office of Secretary of State April 22, 2025.

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