

HOUSE BILL REPORT

HB 1860

*As Reported By House Committee on:
Fisheries & Wildlife*

Title: An act relating to commercial fishing.

Brief Description: Limiting the sale and harvest of certain fish species.

Sponsor(s): Representatives R. King and Morris.

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, March 4, 1991, DPA.

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *Do pass as amended.* Signed by 10 members: Representatives R. King, Chair; Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Staff: Keitlyn Watson (786-7310).

Background: The Department of Fisheries regulates the commercial and recreational harvest of food fish, and identifies target fisheries for specific times and areas. Incidental catch, also called bycatch, is the capture of species or stocks of fish that are taken in addition to the target stocks or species of the fishery. Incidental catch occurs because other species and stocks are present, and fishing gear is not completely selective for the target fish. Incidental catch by both commercial and recreational fishers can occur. Public concern exists over the potential impact of the incidental catch of fish in the commercial gill net and purse seine fisheries. Rules adopted by the Department of Fisheries identify lawful target fisheries and specify whether certain incidentally caught species of fish may be kept and/or sold.

The Department of Fisheries manages incidental catch by imposing time restrictions, area closures, gear restrictions and some possession and sale restrictions. The department documents some incidental catch using observers. There is disagreement as to whether these methods are effective, and

on how significant the impact of incidental catch is on the fisheries in general.

Under authority granted by the Legislature, the Department of Fisheries allows some incidental catch to be retained and sold and some not. This depends on the conservation status of the incidentally caught species, probability of mortality if released, whether the fish is within the size limits permitted, whether fishers are able to identify the species, and whether the species are economically valuable.

Summary of Amended Bill: The Department of Fisheries is directed to adopt rules to list each fish species that may lawfully be commercially harvested and sold. A species list is to be developed for each management and catch reporting area, with associated seasons, open days, and open hours.

The Department of Fisheries is directed to develop a study plan and design for observing and documenting incidental catch of fish in treaty and non-treaty commercial fisheries, and shall present the study plan to the Legislature by October 1, 1991. The study plan shall include an observer training program and a sample design that will allow identification of causes for incidental catch.

Amended Bill Compared to Original Bill: The amended bill removes the findings section in the original bill. The amended bill adds to the Department of Fisheries' study plan the direction to plan and design the incidental catch study to include treaty and non-treaty fishers.

Fiscal Note: Available.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Some incidental catches can be excessive. Target fish are a "cover" for the harvest of other species. Gear restrictions for commercial fishers are currently inadequate to exclude non-target species. The existing observer programs are dismal failures.

Testimony Against: The bill is unnecessary with regards to the Columbia River. Incidental catch is highly regulated there. The sale of incidentally caught fish, which is legal in the Columbia River, provides an economic benefit. Incidental catch of blackmouth could increase because recreational enhancement projects focus on adding blackmouth to the water. Commercial fishermen, however, will likely not contribute to higher incidental catch of blackmouth because their fishing season is more and more constrained.

Witnesses: Bill Chapman, Bremerton Sportsmen's Club (in favor); Gene Didonato, Department of Fisheries (no position); Bob Eaton, Salmon for All (supports bill); and Rob Zuanich, Puget Sound Vessel Owners Association (opposed).