

HOUSE BILL REPORT

HB 2159

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

Title: An act relating to sturgeon.

Brief Description: Affecting fisheries that target sturgeon.

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

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, March 5, 1991, DP.

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *Do pass.* Signed by 6 members:
Representatives R. King, Chair; Morris, Vice Chair; Fuhrman,
Assistant Ranking Minority Member; Hochstatter; Orr; and
Padden.

Minority Report: *Do not pass.* Signed by 5 members:
Representatives Wilson, Ranking Minority Member; Basich;
Cole; Haugen; and Spanel.

Staff: Keitlyn Watson (786-7310).

Background: The Department of Fisheries regulates sport and commercial harvest of food fish, including sturgeon. Two species of sturgeon are present in Washington waters. White sturgeon occur throughout most of the mainstem Columbia River and portions of its lower tributaries. The white sturgeon that occur below Bonneville Dam are anadromous. Green sturgeon are present in the estuary of the Columbia River and move freely to and from the ocean.

Sturgeon Fishing Regulations:

Commercial regulations currently do not include a targeted sturgeon fishery. However, in the Columbia River below Bonneville Dam, and in Willapa Bay and Grays Harbor, sturgeon caught incidentally to certain targeted fisheries may be retained and sold. Recreational regulations allow the harvest and retention of sturgeon taken in the Columbia River, Willapa Bay, Grays Harbor, Puget Sound, and the coast. Various bag and possession limits, and gear and fish

size restrictions are imposed on recreational and commercial fishers.

Recent regulatory action by the Department of Fisheries to reduce sturgeon harvest included elimination of the target commercial fishery on the lower Columbia River, Willapa Bay, and Grays Harbor, and an increase in minimum length of legal fish.

Emerging Commercial Fisheries:

In 1990, the Legislature passed a law allowing the director of the Department of Fisheries to designate a fishery as an emerging commercial fishery. Once the fishery is so designated, the director may do the following: 1) issue experimental fishery permits for commercial harvest; and 2) limit the number of permits to prevent habitat damage and ensure resource conservation to prevent overharvesting. No such fisheries have yet been designated.

Summary of Bill: The Department of Fisheries is directed to eliminate in state waters all commercial fisheries that target sturgeon until the director has established that sturgeon populations are increasing significantly. No incidentally caught sturgeon may be sold. Once the director determines that sturgeon populations are increasing, the director shall designate the sturgeon fishery as an emerging commercial fishery. The director shall examine the effect of the recreational fishery on sturgeon populations and make adjustments in recreational harvest to increase sturgeon populations, if necessary.

Fiscal Note: Available. New fiscal note requested on March 4, 1991.

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

Testimony For: (Testimony received was on HB 1905): Sport catch has been reduced with willing support from recreational fishers. The sturgeon resource is in trouble. Little is known about this fish. Although the Department of Fisheries has eliminated the target gill net season for sturgeon, a "targeted" fishery continues under the guise of incidental catch. If the resource can withstand it, then a targeted fishery should be in place. If the resource can't withstand it, then there should be no legal incidental catch.

Testimony Against: (Testimony received was on HB 1905): Both Oregon and Washington are taking steps to reduce the harvest of sturgeon in the Columbia River, where the

majority of the harvest occurs. There are currently no target commercial sturgeon fisheries in Washington. There are existing cooperative mechanisms in place to resolve this issue, particularly in identifying individuals who are targeting sturgeon. The bill does not resolve a conservation issue. Of the white sturgeon harvest, 80 percent is by recreational fishers. This bill addresses allocation where enhancement of numbers of fish is the real solution. Commercial fishers have already curtailed their fishery.

Witnesses: (Witnesses testified on HB 1905): Steve Watrous, Lower Columbia River Trout Unlimited (in favor); Greg Barcus, C.P.A.A. (in favor); Gene DiDonato, Washington Department of Fisheries (oppose); Irene Martin, Columbia River Fisherman's Protective Union (oppose); Bob Eaton, Salmon For All (oppose); Bob Lake, Willapa Bay Gillnet Association (oppose); Don Lewis, Southwest Washington Anglers (oppose); and Jim Hogan, commercial fisher (oppose).